



Leicester  
City Council

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

Held: FRIDAY, 29 APRIL 2016 at 9:30 am

P R E S E N T:

Councillor Byrne

Councillor Dr Barton

Councillor Hunter

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**1. APPOINTMENT OF CHAIR**

Councillor Byrne was elected as Chair for the meeting.

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Cank.

Councillor Dr Barton 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. MINUTES OF PREVIOUS MEETINGS**

It was noted that as there were no panel members present as constituted at the original hearings, the minutes of the meetings of the Licensing (Hearings) sub-committee held on 18<sup>th</sup> March 2016 and 1<sup>st</sup> April 2016 could not be confirmed and would be deferred to a future meeting.

**RESOLVED:**

That the minutes of the Licensing (Hearings) sub-committee held on 29<sup>th</sup> October 2015 be confirmed as an accurate record.

**5. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: POLISH DELI, 30 BELGRAVE GATE, LEICESTER, LE1 3GP**

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a new premises licence within a cumulative impact zone for Polish Deli, 30 Belgrave Gate, Leicester LE1 3GP.

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

Ms Dana Szymkowicz on behalf of the applicant was present, as were PC Jon Webb from Leicestershire Police, the Licensing Team Manager, the Solicitor to the sub-committee and a Trainee Solicitor (observing).

It was noted that there were members 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 a representation had been received from Leicestershire Police 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 that the premises was within a cumulative impact zone and granting the application would impact on the area by increasing the availability of outlets in the area to purchase alcohol.

PC Webb outlined the reasons for the representation. There were no questions from Members.

Ms Szymkowicz was then given the opportunity to outline the application, respond to the points made and to answer questions from Members during which colour photographs of the proposed premises layout were circulated.

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 sub-committee advised Members of the options available to them in making a decision. 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 sub-committee, the Trainee Solicitor, PC Webb, Ms Szymkowicz and the public 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 Trainee Solicitor was also present to observe process.

The Licensing Team Manager, PC Webb, Ms Szymkowicz and the public 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: Polish Deli, 30 Belgrave Gate, Leicester LE1 3GP be granted subject to the conditions consistent with the operating schedule (at appendix C of the report) together with the additional conditions proposed by the Police and agreed during the meeting as follows:

1. The licence holder to ensure that CCTV is installed following advice from the Leicestershire Police and maintained in accordance with the Information Commissioners CCTV Code of Practice. Recordings to be maintained at all times the premises are open to the public and to be kept for a minimum of 30 days.
2. The licence holder to ensure there is always a member of staff on the premises whilst it is open to the public, who is trained to operate and provide any images from the CCTV system to Police Officers and responsible authorities. Any requests for CCTV outside these times to be made available within 48 hours of the request being made.
3. The licence holder to regularly assess the requirement for trained security staff having taken into account advice from Leicestershire Police and maintain a written record of this assessment.
4. The licence holder to ensure no beers, lagers, ciders or perrys are sold where the ABV exceeds 5.5%.

In reaching their decision the sub-committee were satisfied that the company had demonstrated they were a responsible company and had addressed the concerns raised and were willing to put in measures. The company had a strategy in place showing how they would meet the Licensing Objectives and address the requirements of being in a Cumulative Impact Zone.

**6. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: INTERNATIONAL MARKET, 120 GRANBY STREET, LEICESTER**

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

within a cumulative impact zone for International Market, 120 Granby Street, Leicester.

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

Mr Abdullah Omar Abdullah, the applicant was present with his representative Mr Anil Bhawsar, also present was PC Jon Webb from Leicestershire Police, the Licensing Team Manager, the Solicitor to the sub-committee and a Trainee Solicitor (observing).

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 a representation had been received from Leicestershire Police that related to three of the licensing objectives, namely the prevention of crime and disorder, the prevention of public nuisance and public safety and concerns were raised that the applicant had made no mention in their application with regards to the cumulative impact zone or taken into account the local problems and concerns.

PC Webb outlined the reasons for the representation. There were no questions from Members.

Mr Bhawsar on behalf of the applicant was then given the opportunity to outline the application, respond to the points made 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 sub-committee advised Members of the options available to them in making a decision. 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 sub-committee, the Trainee Solicitor, PC Webb, Mr Abdullah and Mr Bhawsar 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 Trainee Solicitor was also present to observe process.

The Licensing Team Manager, PC Webb, Mr Abdullah and Mr Bhawsar 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: International Market, 120 Granby Street, Leicester be refused.

In reaching their decision the sub-committee said that the starting point for an application in a Cumulative Impact Zone was refusal and they did not find that the applicant fully understood the implications of being a responsible premises licence holder within a Cumulative Impact Zone. The sub-committee did not believe, on this occasion, that the Licensing Objectives would be upheld if the licence was granted.

## **7. ANY OTHER URGENT BUSINESS**

There being no further business notified the meeting closed at 11.47am.