



Leicester
City Council

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

Held: THURSDAY, 2 JUNE 2016 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Cank

Councillor Shelton

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1. APPOINTMENT OF CHAIR

Councillor Byrne 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. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: CAR PARK OF SAFE COMPUTING, 20 FREE SCHOOL LANE, LEICESTER

The Director, Neighbourhood and Environmental Services, submitted a report that required the sub-committee to determine an objection notice relating to a temporary event notice (TEN) submitted by the applicant Christopher Shields for an event at the Car Park of Safe Computing, 20 Freeschool Lane, Leicester.

The sub-committee noted that an objection notice had been received in respect of the Temporary Event Notice, which necessitated that the Temporary Event Notice had to be considered by the sub-committee.

PC Jon Webb for Leicestershire Police, the Licensing Team Manager and the

Solicitor to the sub-committee were present.

It was noted that the applicant Christopher Shields was not present or represented. The sub-committee agreed that it was in the public interest to proceed with the hearing in the absence of the applicant.

The Licensing Team Manager presented the report. It was noted that an objection had been received from Leicestershire Police on the grounds of the prevention of crime and disorder.

PC Jon Webb for Leicestershire Police requested that the public and press be excluded from the hearing as it was likely that exempt information would be disclosed during representations to the sub-committee.

The sub-committee were satisfied that the press and public should be excluded from the hearing during the objectors representation.

RESOLVED:

that the press and public be excluded from the hearing during the objectors representation in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involved the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it was considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Paragraph 1 - Information relating to an individual.

Paragraph 2 - Information likely to reveal the identity of an individual.

Paragraph 7- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

IN PRIVATE SESSION

PC Jon Webb for Leicestershire Police outlined the reasons for the objection and informed the sub-committee that police investigations into a very serious matter were ongoing.

The sub-committee then had the opportunity to ask questions.

IN OPEN SESSION

Prior to the sub-committee considering the application, the Solicitor to the sub-committee advised the options available to the sub-committee in making a decision. The sub-committee 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, the sub-committee 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, in accordance with the provisions of the Licensing Act 2003 (Hearings) Regulations 2005.

The Licensing Team Manager, the Solicitor to the sub-committee and PC Jon Webb then withdrew from the meeting.

The sub-committee then gave the application their 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 and PC Jon Webb 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 a counter notice under Section 105 (2) of the Licensing Act 2003 be issued (as it was considered appropriate for the promotion of the licensing objectives to do so).

In reaching their decision the sub-committee stated that in light of pending police investigations they did not feel that the applicant was a fit and proper person and they were not satisfied that he would uphold the licensing objectives.

The meeting closed at 9.48am.