



Leicester
City Council

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

Held: MONDAY, 4 JULY 2016 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Cank

Councillor Fonseca

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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. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the Licensing (Hearings) sub-committee held on 2nd June 2016 and 8th June 2016 be confirmed as an accurate record.

5. APPLICATION FOR A NEW PREMISES LICENCE: 16 MILLSTONE LANE, LEICESTER

The Director, Neighbourhood and Environmental Services, submitted a report that required the sub-committee to determine an application for a new premises licence for 16 Millstone Lane, Leicester.

The sub-committee noted that a representation had been received in respect of the application which necessitated that the application be considered by the sub-committee.

Mr Kieran Lyons, the applicant was present as was the Licensing Team Manager and the Trainee Solicitor to the sub-committee.

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 one representation had been received from the local ward councillor that related to one of the licensing objectives, namely public nuisance.

Colour photographs of the proposed premises were circulated for the benefit of the sub-committee.

It was noted that the representee was not present and the sub-committee had read the written representation of the ward councillor.

Mr Lyons the applicant was given the opportunity to outline the application, respond to the points made and to answer questions from the sub-committee.

Mr Lyons the applicant was then given the opportunity to sum up his position and make any final comments.

Prior to the sub-committee considering the application, the Trainee Solicitor to the sub-committee advised the options available to them in making a decision. The sub-committee were advised of the relevant policy and statutory guidance, especially with regard to conditioning regulated entertainment and the implications of the Live Music Act 2012 and the Legislative Reform (Entertainment Licensing) Order 2014 that needed to be taken into account when making their decision.

In reaching their decision the sub-committee 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 Trainee Solicitor to the sub-committee and Mr Lyons the applicant then withdrew from the meeting.

The sub-committee then gave the application full and detailed consideration.

The Trainee Solicitor to the sub-committee was then recalled to the meeting to give advice on the wording of the decision.

The Licencing Team Manager and Mr Lyons the applicant then returned to the meeting.

The Chair informed all persons present that they had recalled the Trainee Solicitor to the sub-committee for advice on the wording of their decision.

RESOLVED

That the application for a new premises licence for 16 Millstone Lane, Leicester be granted with the conditions consistent with the operating schedule and the amended condition as follows:

1. The licence holder will adopt the Challenge 25 Policy.

In reaching their decision the sub-committee commented that they had listened carefully to the applicant and taken into account the representation received from the ward councillor. The sub-committee said they had also taken account of the Live Music Act 2012 and, with the capacity of the premises being under 500 they felt that the licensing objectives would be met. The sub-committee decided to grant the new premises licence with the conditions consistent with the operating schedule save that the condition to adopt the Challenge 21 Policy should be amended to the Challenge 25 Policy to be in line with other licences in the area.

6. ANY OTHER URGENT BUSINESS

There being no other business the meeting closed at 10.00am