



Leicester
City Council

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

Held: FRIDAY, 19 AUGUST 2016 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

There were no apologies for absence

3. DECLARATIONS OF INTEREST

Members of the sub-committee 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

RESOLVED:

That the minutes of the Licensing Hearing sub-committee dated 16 June 2016, 21 June 2016 and 4 July 2016 be confirmed as a correct record.

**5. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
CHRYSTAL NEWS, 10 HANNAM COURT, CHARLES STREET, LEICESTER**

The Director of Neighbourhood and Environmental services submitted a report that required the sub-committee to determine an application for a review of an existing premises licence for Chrystal News, 10 Hannam Court, Charles Street,

Leicester LE1 3FS.

The sub-committee noted that an application for a review of an existing premises licence had been received which necessitated that the application had to be considered by the sub-committee.

Mr N Shah (junior) on behalf of the Premises Licence Holder and PC Jon Webb from Leicestershire Police were present. Also present was the Licensing Team Manager and the trainee Solicitor to the sub-committee.

Also present was a reporter from the Leicester Mercury.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. Colour photographs of the exterior of the premises were circulated at the meeting. It was noted that an application for the review of an existing premises licence had been received from Leicestershire Police on 5 July 2016 which was made on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance. Concerns were raised that the premises were selling high strength alcohol products to the public who then caused crime and disorder, public nuisance and impacted on public safety in the local area.

PC Jon Webb outlined the reasons for the application for the review of an existing premises licence and informed the sub-committee of the conditions that the Leicestershire Police would seek to be added to the existing licence. PC Jon Webb answered questions from the sub-committee.

Mr N Shah on behalf of the Premises Licence Holder was then given the opportunity to respond to the application for the review of the licence and answered questions from the sub-committee.

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

Prior to the sub-committee considering the application the trainee Solicitor to the sub-committee advised the sub-committee of the options available to them in making a decision and 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.

The Licensing Team Manager, the trainee Solicitor to the sub-committee, Mr N Shah on behalf of the Premises Licence Holder, PC Jon Webb and the press 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 hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr N Shah on behalf of the Premises Licence Holder, PC Jon Webb and the press 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 conditions of the existing premises licence for Chrystal News, 10 Hannam Court, Charles Street, Leicester LE1 3FS be modified to add the 6 conditions requested by the Police as follows:

1. The licence holder shall ensure that no beers, lagers, ciders or perrys are sold where the alcohol by volume (ABV) exceeds 5.5%
2. The licence holder shall ensure that CCTV is installed following advice from Leicestershire Police and maintained in accordance with the Information Commissioners Codes of Practice for CCTV. Recordings shall be maintained at all times the premises are open to the public and these images shall be retained for a minimum of 30 days
3. The licence holder will ensure that there is always a member of staff on the premises whilst it is open to the public, who is trained to operate and provide images from the CCTV system to all Responsible Authorities. Any request for CCTV outside these times will be made available within 48 hours of the request being made
4. The licence holder shall ensure a refusal log is kept on the premises and all refusals shall be recorded. The refusal log shall be retained for 12 months and made available to Responsible Authorities on request. The refusal log shall be checked, signed and dated on a weekly basis by the designated premises supervisor or premises licence holder
5. The supply of alcohol for consumption off the premises be reduced to start from 8am (0800hrs) until 10pm (2200hrs) Monday to Sunday
6. The licence holder shall ensure that any alcohol on display outside licensable times is not accessible to customers attending the premises and that signs are clearly displayed in prominent positions informing customers the times that alcohol is available for sale.

The sub-committee commented that after listening to all sides they had come to this decision as they had a duty to protect all citizens in the city and ensure that the licensing objectives were upheld. The sub-committee decided that all

conditions asked for by the police should be adhered to and added to the licence with immediate effect. However, the sub-committee also felt this was a very serious matter and if the licence holder were to breach any of these conditions it could result in the licence being revoked.

6. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE: SCHNAPS, 28 CHARLES STREET, LEICESTER

The Director of Neighbourhood and Environmental services submitted a report that required the sub-committee to determine an application for a review of an existing premises licence for Schnaps, 28 Charles Street, Leicester LE1 3FG.

The sub-committee noted that an application for a review of an existing premises licence had been received which necessitated that the application had to be considered by the sub-committee.

PC Jon Webb from Leicestershire Police, the Trading Standards Manager, the Trading Standards Officer, the Licensing Team Manager and the trainee Solicitor to the sub-committee were present.

Also present was a reporter from the Leicester Mercury.

It was noted that the Premises Licence Holder was not present or represented at the meeting.

The sub-committee agreed that it was in the public interest to proceed with the application for the review of an existing premises licence in the absence of the Premises Licence Holder on the basis that all parties had been given the opportunity to attend and no apologies or reasons for absence had been received.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. Colour photographs of the exterior of the premises were circulated at the meeting. It was noted that an application for the review of an existing premises licence had been received from Leicestershire Police on 5 July 2016 on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance and concerns were raised that the premises had failed to observe the licensing objectives putting the public at risk and the premises was selling high strength alcohol products to the public who then caused crime and disorder, public nuisance and impacted on public safety.

It was also noted that a representation from Trading Standards, Leicester City Council was received on 27 July 2016 on the grounds of the prevention of crime and disorder, public safety and the protection of children and concerns were raised that there was a history of illicit tobacco sales which included a failed test purchase to an underage test purchaser.

The Trading Standards Manager outlined the reasons for their representation and answered questions from the sub-committee.

PC Jon Webb outlined the reasons for the application for the review of an existing premises licence and answered questions from the sub-committee.

With the agreement of those present and in the absence of the Premises Licence Holder, the Licensing Team Manager read a brief statement from the Premises Licence Holder that had been received prior to the hearing.

All parties present were then given the opportunity to sum up their positions 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 and 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.

The Licensing Team Manager, the trainee Solicitor to the sub-committee, PC Jon Webb, the Trading Standards Manager, the Trading Standards Officer and the press 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 hearing to give advice on the wording of the decision.

The Licensing Team Manager, PC Jon Webb, the Trading Standards Manager, the Trading Standards Officer and the press 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 existing premises licence for Schnaps, 28 Charles Street, Leicester LE1 3FG be revoked.

The sub-committee commented that after listening carefully to the representations they had come to the decision to revoke the licence as they had a duty to protect the citizens in the city and ensure that all licensing objectives were upheld which the sub-committee felt had not been done in this case as the licence holder had not complied fully with the existing conditions on the licence and the sub-committee did not believe that a change of Designated

Premises Supervisor or additional conditions would improve the situation.

**7. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
EUROPEAN SHOP, 12 HANNAM COURT, CHARLES STREET, LEICESTER**

The Director of Neighbourhood and Environmental services submitted a report that required the sub-committee to determine an application for a review of an existing premises licence for European Shop, 12 Hannam Court, Charles Street, Leicester.

The sub-committee noted that an application for a review of an existing premises licence had been received which necessitated that the application had to be considered by the sub-committee.

PC Jon Webb from Leicestershire Police, the Licensing Team Manager and the trainee Solicitor to the sub-committee was present.

Also present was a reporter from the Leicester Mercury.

It was noted that the Premises Licence Holder was not present at the meeting or represented.

The sub-committee agreed that it was in the public interest to proceed with the application for the review of an existing premises licence in the absence of the Premises Licence Holder on the basis that all parties had been given the opportunity to attend and no apologies or reasons for absence had been received.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. Colour photographs of the exterior of the premises were circulated at the meeting. It was noted that an application for the review of an existing premises licence had been received from Leicestershire Police on 5 July 2016 on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance and concerns were raised that the premises was selling high strength alcohol products to the public who then caused crime and disorder, public nuisance and impacted on public safety in the local area.

PC Jon Webb outlined the reasons for the application for the review of an existing premises licence and answered questions from the sub-committee.

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

Prior to the sub-committee considering the application the trainee Solicitor to the sub-committee advised the sub-committee of the options available to them 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.

The Licensing Team Manager, the trainee Solicitor to the sub-committee, PC Jon Webb and the press 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 hearing to give advice on the wording of the decision.

The Licensing Team Manager, PC Jon Webb and the press 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 conditions of the existing premises licence for European Shop, 12 Hannam Court, Charles Street, Leicester LE1 3FT be modified to add the condition requested by the Police as follows:

1. The licence holder shall ensure that no beers, lagers, ciders or perrys are sold where the alcohol by volume (ABV) exceeds 5.5%

The sub-committee commented that they had decided that the condition asked for by the police should be adhered to and added to the licence with immediate effect.

However the sub-committee also felt this was a very serious matter and if the licence holder were to breach the condition it could result in the licence being revoked.

8. ANY OTHER URGENT BUSINESS

There being no further business the meeting closed at 11.44am.