



Leicester
City Council

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

Held: FRIDAY, 28 OCTOBER 2016 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Byrne

Councillor Fonseca

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14. APPOINTMENT OF CHAIR

Councillor Thomas was elected as Chair for the meeting.

15. APOLOGIES FOR ABSENCE

There were no apologies for absence.

16. 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.

17. PRIVATE SESSION

RESOLVED:

“That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because they involve 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 is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.”

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority).

Paragraph 7

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

B1) Application for a new premises licence.

18. APPLICATION FOR A NEW PREMISES LICENCE

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

Members noted that two representations had been received; one from Leicester City Council's Noise Team and one from Leicestershire Police in respect of the application. This necessitated that the application for a new premises licence had to be considered by Members.

It was noted that the applicant was not present or represented and no apologies for absence were received. The Sub-Committee agreed that it was in the public interest to proceed with the hearing in the absence of the applicant.

Mr Terence Olaf – Noise Team representative and PC Jon Webb from Leicestershire Police were present at the meeting. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present.

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

The Licensing Team Manager presented the report and answered questions from Members.

Terence Olaf (Noise Team) outlined the reasons for the representation and answered questions from Members.

PC Jon Webb outlined the reasons for the representation by Leicestershire

Police and answered questions from Members.

All parties were then given the opportunity to sum up their positions and make any 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 also 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 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 Solicitor to the Sub-Committee, PC Webb and Mr Olaf then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Sub-Committee was then recalled to give the Sub-Committee advice on the wording of the decision.

The Licensing Team Manager, PC Webb and Mr Olaf 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 be refused.

REASONS FOR THE DECISION

In reaching their decision Sub-Committee Members felt that the connection demonstrated as existing between the leaseholder and the applicant would lead to the control of the premises by the leaseholder such that crime and disorder at the premises would take place.

The Sub-Committee also had concerns for public safety and the protection of children for the same reason.

The Sub-Committee also felt that the grant of the application would not promote the prevention of noise nuisance.

19. CLOSE OF MEETING

The Chair declared the meeting closed at 10:45am.