



Leicester
City Council

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

Held: FRIDAY, 20 JANUARY 2017 at 9:30 am

P R E S E N T:

Councillor Hunter - (Chair)

Councillor Cank

Councillor Shelton

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1. APPOINTMENT OF CHAIR

Councillor Hunter was elected Chair for the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed. No such declarations were made.

4. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the Minutes of the meeting of the Sub-Committee held on 9 December 2016 be confirmed as a correct record.

**5. REVIEW OF AN EXISTING PREMISES LICENCE, LATIMER
CONSERVATIVE CLUB, SURREY STREET, LEICESTER, LE4 6BT**

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 Latimer Conservative Club, Surrey Street, Leicester, LE4 6F.

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.

The Licensing Team Manager and the Solicitor to the sub-committee was present.

Also present was a representative from the City Council's Noise and Pollution Control Team and Mr D Rollinson, Secretary of the Latimer Conservative Club.

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

The Licensing Team Manager presented the report. It was noted that an application for the review of an existing premises licence had been received from City Council's Noise and Pollution Control Team on 30 November 2016 on the grounds of the prevention of public nuisance.

The representative from the City Council's Noise and Pollution Control Team outlined the reasons for the application for the review of an existing premises licence and answered questions from the sub-committee. It was noted that the Noise and Pollution Control Team were requesting an additional condition to be added to the Club Premises Certificate. It was also noted that a noise limiting device had now been installed at the premises and had been set a level agreed with the Noise and Pollution Control Team.

Mr Rollinson outlined the steps that had been taken to address the concerns of the Noise and Pollution Control Team in relation to the prevention of public nuisance 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 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 Solicitor to the sub-committee, Mr Rollinson and the representative of the Noise and Pollution Control Team then withdrew from the meeting.

The sub-committee 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 Licensing Team Manager, Mr Rollinson and the representative of the Noise and Pollution Control Team 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 that the condition requested by the Noise and Pollution Control Team below be added to the Club Premises Certificate

“All live and amplified music shall be played through a noise limiting device of a type agreed with the City Council Noise and Pollution Control team set at a level agreed with the City Council Noise and Pollution Control Team”

REASON FOR THE DECISION

The sub-committee commented that they had considered all representations that had been made both verbal and written and felt that that the extra condition was consistent with the promotion of the licensing objectives.

6. APPLICATION FOR A NEW PREMISES LICENCE SCHNAPS MOBILE SHOP, PUTNEY ROAD, LEICESTER

The Director, Neighbourhoods and Environmental Services, submitted a report that required Members to determine an application for a new premises licence Schnaps Mobile Shop, Putney Road, Leicester.

Members noted that representations had been received in respect of the application, which necessitated that the application had to be considered by Members.

The Licensing Team Manager and the Solicitor to the Sub-Committee were present at the meeting.

It was noted that neither Mr M Keles nor either of the representees were present at the meeting or represented.

The sub-committee agreed that it was in the public interest to proceed with the determination of the application for a new premises licence in the absence of the applicant and the representees on the basis that all parties had been given the opportunity to attend and no apologies or reasons for absence had been received. It was also noted that the applicant had submitted additional information in support of the application which had been circulated to the sub-committee and the parties to the hearing prior to the meeting.

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

The Licensing Team Manager presented the report and answered questions.

The Sub-Committee noted the reasons for the representations that had been made.

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 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 Licensing Team Manager 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 for Schnaps Mobile Shop, Putney Road, Leicester be refused.

REASONS FOR THE DECISION

In reaching their decision Sub-Committee members said that they had considered the application and the representations made by both the applicant and the objectors. They had decided to refuse the application as they felt that if it was approved it would undermine the promotion of all four licensing objectives.

7. ANY OTHER URGENT BUSINESS

There were no items of Any Other Urgent Business.

8. CLOSE OF MEETING

The Chair declared the meeting closed at 10.30 am.