



Leicester
City Council

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

Held: TUESDAY, 21 NOVEMBER 2017 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Cank

Councillor Unsworth

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6. APPOINTMENT OF CHAIR

Councillor Thomas was elected as Chair for the meeting.

7. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Singh Johal. Councillor Cank was contacted to be on the panel.

8. DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary or other interest they may have in the business on the agenda.

Councillor Thomas declared an 'other disclosable interest' in that he was a former Abbey Ward Councillor and prior to the Ward boundary changes, the premises location (of agenda item 4 – Broadway, 263-265 Abbey Lane) was within that Ward. In accordance with the Council's Code of Conduct the interest was not considered so significant that it was likely to prejudice Councillor Thomas's judgement of the public interest. Councillor Thomas was not, therefore, required to withdraw from the meeting during consideration and discussion on the item.

**9. APPLICATION FOR A NEW PREMISES LICENCE: BROADWAY, 263 - 265
ABBEY LANE, LEICESTER, LE4 5QH**

The Director of Neighbourhoods and Environmental Services, submitted a report that required Members to determine an application for a new premises licence for Broadway, 263-265 Abbey Lane, Leicester, LE4 5QH.

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

The applicant – Mr Parjinder Singh together with his Legal Representative – Mr Walaiti Rathore, Councillor Vijay Riyait (Member of the Abbey Ward who had made a representation), Mr Gareth Bowman (Noise/ Pollution Team representative), Mr Daniel Graham (local resident who had made a representation) were all present at the hearing. Also present was the Licensing Team Manager and the Solicitor to the Sub-Committee.

It was noted that a representative of the Press and members of the public 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 outlined the details of the application. It was noted that a mediation meeting had taken place the previous week with the applicant/ legal advisor, Noise team and others who had made representations. Following this, the Licensing Team Manager informed attendees at this hearing that an email had been received which stated that three conditions proposed by the Noise team were agreed by the applicant. However not all proposals made by the applicant and his legal advisor were accepted by those who had made representations. Clarification on aspects of the report was requested from Members, there were no further questions from the applicant or the persons who had made representations.

Mr Daniel Graham (Noise Team representative) confirmed that he had today received a formal signed copy of the conditions as an agreement (following the mediation meeting last week). It was requested that all conditions made by the Noise Team be included if the new premises licence was to be granted.

Councillor Vijay Riyait and Mr Gareth Bowman outlined the reasons for their representations and answered questions from Members.

Mr Parjinder Singh and Mr Walaiti Rathore were then given the opportunity to outline the details of the application, responded to the points made in the representations and answered questions from Members and those who had made representations.

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, Councillor Riyait, Mr Bowman, Mr Graham, Mr Singh, Mr Rathore, the representative of the Press and the members of the public 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, Councillor Riyait, Mr Bowman, Mr Graham, Mr Singh, Mr Rathore, the representative of the Press and the members of the public 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 Broadway, 263-265 Abbey Lane, Leicester, LE4 5QH be granted with conditions, namely the conditions consistent with the operating schedule, the conditions agreed with the Noise Team and the following additional conditions:

- 1) That the premises opening times start at 9am Monday to Sunday.
- 2) That the hours for Licensable activities finish at 01.30am on Friday and Saturday and 23.30 on Sunday, and that the opening times end at 02.00 on Friday and Saturday and 00.00 on Sunday.
- 3) A substantial gate would be fitted to the car park and locked when the premises closes.
- 4) A CCTV system with recording equipment would be installed and maintained at the premises internally and externally and operated with cameras. All recordings used in conjunction with CCTV shall:
 - Be of evidential quality
 - Indicate the correct time and date
 - Be retained for a period of 31 consecutive days

A member of staff trained to use the system should be on duty at all times, as the recorded images must be made available for inspection and downloading upon request to officers of Responsible Authorities.

All images downloaded from the CCTV system must be provided in a format that can be viewed on readily available equipment without the need for specialist software.

- 5) Appropriate lighting would be installed outside the premises and in the car park.

(To note that condition 4 in Appendix C 'The licence holder shall ensure no persons under the age of 18 years will be allowed in the premises' was an administrative error and has been removed from the conditions).

REASONS FOR THE DECISION

In reaching their decision Sub-Committee members felt that the conditions would help address all four of the Licensing objectives.

10. APPLICATION FOR A NEW PREMISES LICENCE: VINTAGE 186 CAFÉ BAR, 11 MAIN STREET, EVINGTON

It was noted that the applicant had withdrawn this application prior to the meeting.

11. CLOSE OF MEETING

The Chair declared the meeting closed at 12.10pm.