



Leicester
City Council

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

Held: FRIDAY, 12 JANUARY 2018 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Shelton

Councillor Unsworth

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5. APPOINTMENT OF CHAIR

Councillor Hunter was appointed as Chair for the meeting.

6. APOLOGIES FOR ABSENCE

There were no apologies for absence.

7. DECLARATIONS OF INTEREST

The were no declarations of interest.

**8. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE
IMPACT ZONE: LOST IN LEICESTER, 58-64 BRAUNSTONE GATE,
LEICESTER, LE3 5LG**

The Director of Neighbourhood and Environmental Services submitted a report that required the sub-committee to determine an application for a new premises licence within a cumulative impact zone: Lost in Leicester Limited, 58-64 Braunstone Gate, Leicester LE3 5LG.

The sub-committee noted that representations had been received that necessitated that the application for a new premises licence within a cumulative impact zone had to be considered by the sub-committee.

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

Mr Jonathan Pinder (Shareholder, Lost in Leicester Limited), Mr Adam Dale (proposed Designated Premises Supervisor), Mr Chris White and Mr Kennedy

Nwokolo (Pollution Control Officers), PC Jon Webb (Leicestershire Police), the Licensing Team Manager and the Legal Advisor to the Sub-Committee were present.

The Licensing Team Manager presented the report. It was noted that a representation had been received from Leicestershire Police on 22nd November 2017 relating to the prevention of crime and disorder, the prevention of public nuisance and public safety. There were concerns that the applicant had made no reference to the Cumulative Impact Zone and that the applicant had failed to take into account the local problems and concerns.

A representation was also received from Leicester City Council's Noise Team on 29th November 2017 relating to the prevention of public nuisance. The Noise Team were concerned that music from the premises had the potential to cause a nuisance to residents living in flats directly above the premises

PC Jon Webb from Leicestershire Police was given the opportunity to outline the reasons for the representation and responded to questions from the Sub-Committee.

Mr Chris White from the Noise Pollution Team outlined details of the representation and answered questions from Members, which were concern over the control of noise levels from amplified and live music. The applicant had been spoken to in detail and an agreement had been reached to add two conditions to the licence to eliminate problems (Appendix B2 to the report).

Mr Pinder was then given the opportunity to outline the details of the application, responded to the points made in the representations and answered questions from Members. An additional document of information was requested to be accepted by Members in support of the applicant's application. There being no objection by PC Webb or Chris White, the Sub-Committee agreed to the applicant reading out the additional information at the hearing

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 Legal Advisor 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, together with relevant case law.

In reaching their decision, Members 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 with the parties represented present.

The Licensing Team Manager, Legal Advisor to the Sub-Committee, PC Webb from Leicestershire Police, Mr White and Mr Nwokolo (Pollution Control Officers), Mr Pinder and Mr Dale (Lost in Leicester Limited) then withdrew from

the meeting.

Members then gave the application their full and detailed consideration.

The Legal Advisor to the sub-committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, PC Webb from Leicestershire Police, Mr White and Mr Nwokolo (Pollution Control Officers), Mr Pinder and Mr Dale (Lost in Leicester Limited) then returned to the meeting.

The Chair informed all persons present that they had recalled the Legal Advisor to the Sub-Committee for advice on the wording of their decision.

RESOLVED:

That the application for a new premises licence within a Cumulative Impact Zone for Lost in Leicester, 58-64 Braunstone Gate, Leicester, LE3 5LG be granted subject to the conditions consistent with the operating schedule, conditions consistent with the representation/agreement from Noise Control, Leicester City Council, and subject to the following conditions below:

1. The applicant will meet with the police to ensure the proposed dispersal document is agreed and implemented.
2. In particular the licence holder shall ensure that a CCTV system is installed and maintained, with digital files kept for a minimum of 30 days.

REASONS FOR THE DECISION

In reaching their decision, Sub-Committee members said they had listened carefully to all of the representations and taken into account the Statutory Guidance and the Council's Licensing Policy. They added they had listened to the applicant and were satisfied that the premises licence could be granted without having an adverse impact on the licensing objectives or the cumulative impact zone.

9. CLOSE OF MEETING

The meeting closed at 10.36am.