



Leicester
City Council

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

Held: WEDNESDAY, 13 NOVEMBER 2019 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Dr Sangster

Councillor Shelton

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23. APPOINTMENT OF CHAIR

Councillor Hunter was appointed as Chair for the meeting.

24. APOLOGIES FOR ABSENCE

There were no apologies for absence.

25. DECLARATIONS OF INTEREST

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

There were no declarations of interest made.

26. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meetings held on 10 October 2019 and 28 October 2019 be confirmed as a correct record.

27. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: THE APRES LOUNGE, 94 HIGH STREET, LEICESTER, LE1 5YP

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an objection notice relating to a temporary event notice (TEN) submitted by Mr Ercan Dogan for The Apres Lounge, 94 High Street, Leicester, LE1 5YP.

Members noted that an objection notice had been received in respect of the Temporary Event Notice, which necessitated that the Temporary Event Notice had to be considered by Members.

Members further noted that an objection notice had been received in respect of a Temporary Event Notice for a different event for the same premises. The Chair agreed that the two objection notices be taken together.

Mr Ercan Dogan was present, accompanied by Mr William Hyman (Shop Fitter), Mr Medley (Acoustic Technician) and Ms Lisa Gilligan (legal representative). Mr Andrew Sansome, Noise Team and Mr Alistair Hollis (Noise Team observing), were present. Also present was the Chief Licensing Officer and Legal Adviser to the Sub-Committee.

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

The Chief Licensing Officer presented the report and answered questions from Members. It was noted that objection notices had been given by the Noise Team on the grounds of the prevention of public nuisance. Temporary Event Notices were given by Mr Dogan on Wednesday 30th October (for an event from Friday 15th November 2019 to Sunday 17th November 2019), and on 6th November (for an event from Friday 22nd November 2019 until Sunday 24th November 2019).

It was reported that if an existing premises licence covered the area in which the event would take place, then conditions from that licence could be imposed on the temporary event notice. It was noted that the premises licence for The Apres Lounge did not cover the garden area, which was separate from the premises and as such it was not possible to impose conditions.

Mr Sansome outlined the reasons for the objection which applied to both temporary event notices.

The legal adviser for the applicant was then given the opportunity to respond to the points and concerns that were raised by the Noise Team and answered questions from Members. It was noted that Mr Dogan had responded to the issues raised by the Noise Team and was in the process of making physical changes in the garden and had consulted an acoustic technician to limit noise nuisance. A Noise Management Plan would also be drafted and submitted to the Noise Team for discussion. It was further noted the applicant had been unaware of previous complaints but had taken on board all comments and offered a reduction in the time requested on the TEN to 2.30am.

The Legal Adviser to the Sub-Committee advised the meeting that any modifications to the TEN could only be made by the objector following consultation with the applicant prior to the hearing, in which case that hearing would be dispensed with.

The legal representative for the applicant asked for a short adjournment of the

meeting to discuss the current position with the applicant and Noise Team Officer. The meeting adjourned at 10.00am.

At 10.36am the meeting reconvened with Councillor Hunter, Councillor Dr. Sangster and Councillor Shelton, the Chief Licensing Officer, the Legal Adviser to the Sub-Committee, Mr Dogan, Mr Hyman, Mr Medley, Ms Gilligan, Mr Sansome, and Mr Hollis.

The legal representative for the applicant informed the meeting that the TEN for Friday 15th November to Sunday 17th November would be withdrawn. A request was made to adjourn the TEN to a date to be set for the following week.

The Chair, Members present, the Legal Adviser to the Sub-Committee and Noise Team Officer agreed to adjourn the hearing for the TEN for Friday 22nd November to Sunday 24th November to allow the applicant to complete noise amelioration work and the Noise Team Officer to undertake sound checks.

RESOLVED:-

1. That the TEN for Friday 15th November to Sunday 17th November be withdrawn.
2. That consideration of the TEN for Friday 22nd November to Sunday 24th November be deferred until a re-convened meeting of the Sub-Committee on Wednesday 20th November at 2.00pm.

28. CLOSE OF MEETING

There being no other items of urgent business the meeting closed at 10.46am.