



Leicester
City Council

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

Held: FRIDAY, 6 DECEMBER 2019 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Cank

Councillor Gee

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35. APPOINTMENT OF CHAIR

Councillor Hunter was elected as Chair for the meeting.

36. APOLOGIES FOR ABSENCE

There were no apologies for absence.

37. 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.

**38. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE:
MAMBA, 29 MARKET STREET, LEICESTER, LE1 6DN**

The Director of Neighbourhood and Environmental Services submitted a report that required the Sub-Committee to determine an objection notice relating to two Temporary Event Notices (TENs) submitted by the applicant Mr Prabdeep Pabla for Mamba Café and Bar, 29 Market Street, Leicester.

The Sub-Committee noted that an objection notice had been received in respect of the two Temporary Event Notices which necessitated that the Temporary Event Notices had to be considered by the Sub-Committee.

Mr Prabdeep Pabla (applicant and Designated Premises Supervisor), Mr Bikram Athwal (Director of Lava Club Ltd.), Mr Harjinder Athwal (Operations

Director of Lava Club Ltd.), Mr David Braithwaite (Police Assistant Licensing Manager), PC Jeff Pritchard (City Centre Licensing Officer for Leicestershire Police), the Licensing Team Manager (Policy and Applications) and the Legal Advisor to the Sub-Committee were present.

The Licensing Team Manager (Policy and Applications) presented the report. It was noted that an objection had been received from the Police on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

The Licensing Team Manager (Policy and Applications) advised that there was an existing premises licence and therefore there was the option to add conditions from the existing premises licence to any Temporary Event Notices if it was appropriate for the promotion of the licensing objectives to do so and if the condition would not be inconsistent with the carrying out of the licensable activities under the Temporary Event Notice.

PC Pritchard and Mr Braithwaite outlined the reasons for the objection and responded to questions from the Sub-Committee Members.

Mr Bikram Athwal on behalf of the applicant was then given the opportunity to respond to the objection and outline reasons for the application and ways in which they were addressing the licensing objectives. Mr Bikram Athwal and Mr Harjinder Athwal then answered questions from the Sub-Committee Members.

Both 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 of the options available to them in making a decision. The Sub-Committee 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, in accordance with the provisions of the Licensing Act 2003 (Hearings) regulations 2005.

Mr Pabla, Mr Bikram Athwal, Mr Harjinder Athwal, Mr Braithwaite, PC Jeff Pritchard, the Licensing Team Manager and the Legal Advisor to the Sub-Committee withdrew from the meeting.

The Sub-Committee 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.

Mr Pabla, Mr Bikram Athwal, Mr Harjinder Athwal, Mr Braithwaite, PC Jeff Pritchard and the Licensing Team Manager 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

1. That the objection notice to the Temporary Event Notice submitted by Mamba, 29 Market Street, Leicester, LE1 6DN be disregarded.

In reaching their decision, Members of the Sub-Committee carefully considered the committee report, the presentation by the Licensing Team Manager, representations submitted by the applicant, the objection received, and the legal advice given during the hearing.

REASON FOR THE DECISION

As a result of what was heard, the Sub-Committee were of the opinion that although they had considered the issues raised in the objection, they were satisfied that the applicant had put in place sufficient measures to address the concerns raised by the Police and that identified measures together with the applicant's willingness to work with the Police would promote the licensing objectives.

39. ANY OTHER URGENT BUSINESS

There being no other business the meeting closed at 10:56am