



Leicester
City Council

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

Held: THURSDAY, 10 OCTOBER 2019 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Pickering

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Councillor Thomas

12. APPOINTMENT OF CHAIR

Councillor Hunter as Chair led on introductions.

13. APOLOGIES FOR ABSENCE

There were no apologies for absence.

14. DECLARATIONS OF INTEREST

There were no declarations of interest.

15. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes from the meetings held on 9 August 2019 and 16 August 2019 be confirmed as a correct record.

16. APPLICATION FOR A NEW PREMISES LICENCE: DOMINO'S PIZZA, 13 BELGRAVE BOULEVARD, LEICESTER, LE4 2JD

The Director of Neighbourhood and Environmental Services submitted a report on a new premises licence for, Domino's Pizza, 13 Belgrave Boulevard, Leicester, LE4 2JD.

Members noted that a representation had been received, which necessitated the application had to be considered by the Sub-Committee.

The Applicant, the Franchisee and a legal representative were in attendance. Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team at Leicester City Council were in attendance.

Also present was the Licensing Team Manager and the Legal Adviser to the Sub-Committee.

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 a new premises licence had been received on 21 August 2019. A representation had been received on 17 September 2019 from the Noise and Pollution Control Team at Leicester City Council in relation to the prevention of public nuisance. The Noise Team were concerned that on street activities associated to the premises would cause noise disturbances to nearby residents during the hours of the night.

Representatives from the Noise and Pollution Control Team were then given the opportunity to outline the reasons for their representations and responded to questions from the Sub-Committee.

The applicant's Legal Representative was then given the opportunity to outline the application and respond to the questions from the Sub-Committee. In light of the concerns raised by the Noise and Pollution Team, the applicant's Legal Representative put forward an amendment to the business opening hours. The premises now proposed opening hours from 11am to 11pm for counter service thereafter the premises would be closed to customers. However, a late-night refreshment licence was sought for hot food deliveries from the premises between 11pm and 5am.

All parties were then given the opportunity to sum up their positions and make final comments.

Prior to the Sub-Committee considering their application, the Legal Adviser to the Sub-Committee advised them of the options available to them in making their decision and the relevant policy and statutory guidance that needed to be taken into account when making the decision.

In reaching their decision the Sub-Committee felt they should deliberate in private on the basis that it 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 Adviser to the Sub-Committee, the applicant, franchisee and their legal representative, Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team then withdrew from the hearing.

The Sub-Committee then gave the application full and detailed consideration.

The Legal Adviser to the Sub-Committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Legal Adviser to the Sub-Committee, the applicant, franchisee and their legal representative, Terence Olaf from Environmental Health and Alistair Hollis from the Noise Team then returned to the hearing.

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

Resolved:

That the application for a new premises licence for Domino's Pizza, 13 Belgrave Boulevard, Leicester, LE4 2JD be GRANTED

REASON FOR DECISION:

In reaching Their decision the Sub- Committee had carefully considered the Committee report presented by the Licensing Officer, all the representations submitted on behalf of the applicant, the representations from the Noise and Pollution Team and the legal advice given during the hearing.

The Sub-Committee had been asked to determine an application for a new premises licence at 13 Belgrave Boulevard, Leicester. When considering the application, the licensing objectives were of paramount concern. The Sub-Committee had considered the application on its own merits and in accordance with the licensing authority's statement of licensing policy and guidance issued under Section 182 of the Licensing Act 2003.

The application had been received from KL Ventures LTD in accordance with Section 17 of the Licensing Act 2003.

The licensable activities which were the subject of the application were set out in paragraph 5.2 of the Licensing Officers report to the Committee. Representations had been received from the Council's Noise and Pollution Team in its capacity as a Responsible Authority.

The Sub-Committee had fully considered the issues raised by the representation, but having heard the applicant's representative, the Sub-Committee were satisfied that enough practical measures will be put in place to ensure that noise will be kept to a minimum and that nuisance is not caused to people living in the area.

The Sub-Committee were therefore content to grant the application.

However, the Sub-Committee attached the following conditions to the licence in order to address the representations made;

- 1) Delivery vehicles will park approximately 50 meters away after 11pm between the junction of Belgrave Boulevard and Border Drive and the access gate to Border House.
- 2) There will be no more than 5 delivery vehicles used on any evening after 11pm.
- 3) Each delivery driver operating after 11pm shall ensure that only one door of their vehicle is used when picking up deliveries. This is to minimise the sound caused by car doors shutting.

17. ANY OTHER URGENT BUSINESS

There being no items of urgent business the meeting closed at 10:55am.

