



Leicester
City Council

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

Held: TUESDAY, 12 MAY 2020 at 10:00 am

P R E S E N T:

Councillor Hunter (Chair)
Councillor Pickering (Co Vice Chair)

Councillor Gee

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69. APPOINTMENT OF CHAIR

Councillor Hunter was appointed as Chair for the meeting.

The Chair outlined the procedure for the meeting to be followed and led on introductions.

70. APOLOGIES FOR ABSENCE

Apologies were received from Mr Sean Jarvis, Leicestershire County Cricket Club.

71. DECLARATIONS OF INTEREST

Members were asked to declare any interests they may have in the business to be discussed on the agenda.

No declarations of interest were made.

72. MINUTES OF PREVIOUS MEETING

RESOLVED:

that the minutes of the meetings held on 12th March 2020 and 24th April 2020 be confirmed as a correct record.

73. APPLICATION FOR A NEW PREMISES LICENCE: LEICESTERSHIRE COUNTY CRICKET CLUB, COUNTY GROUND, GRACE ROAD, LEICESTER

The Chair confirmed with Sub-Committee Members that the reports for the

meeting had been read.

The Director of Neighbourhood and Environmental Services submitted a report requiring the Sub-Committee to determine an application for a new premises licence for Leicestershire County Cricket Club, County Ground, Grace Road, Leicester.

The Sub-Committee noted that representations had been received which necessitated that the application for the new premises licence had to be considered by the Sub-Committee.

Ms Sandra Clark (Stadium Manager) was present. Mr Nigel Rixon (Licensing Manager, Leicestershire Police), Mr Robin Marston (Noise Team, Leicester City Council), Mr Steven Dukes (Resident), Licensing Team Manager (Enforcement) who had made representation, Licensing Team Manager (Policy and Applications) and Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager (Policy and Applications) presented the report and outlined details of the application. It was noted that representations had been received from Responsible Authorities, Leicestershire Police, The Noise Team and the Licensing Authority. The representations related to all four licensing objectives and all had reached agreements with the applicant.

It was further noted that a representation was received on 18th March 2020 from a local resident. The representation related to the licensing objectives of the prevention of public nuisance and the protection of children from harm. The local resident was concerned that the events would cause noise nuisance and disruption to local residents and would be particularly unacceptable on weekdays.

Mr Rixon for Leicestershire Police was given the opportunity to outline the reasons for the representation. It was noted the Police had had discussions with the applicant and had no concerns as the applicant had agreed to requests from the police. The Police supported the application.

The Licensing Team Manager (Enforcement) outlined the reasons for the representation and answered questions from Members and the local resident. It was noted the opinion considered by the authority who had previous experience of joint working the applicant, that if the Sub-Committee were minded to grant the application and following agreement with the applicant, that the requested conditions detailed in the representation be imposed in full.

Mr Marston (Noise Team) outlined the details for the representation. It was noted that discussions had been held with the club, and requested conditions detailed in the report had been agreed.

Mr Dukes (local resident) outlined the detail for the representation. Mr Dukes raised concerns over noise levels and request they be lowered, holding events on consecutive days including week-days, the time at night the concerts would cease, traffic and parking. He requested the cricket ground provide details to

local residents on events, noise levels and traffic plans.

Ms Clarke on behalf of the cricket club responded to points made and answered questions from Members, Mr Dukes and the Legal Adviser to the Sub Committee.

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

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making a decision. The Sub-Committee 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, the Sub-Committee 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, in accordance with the provisions of the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that the decision and reasons would be publicly announced and confirmed in writing within five working days. The Chair informed the meeting the Legal Adviser to the Sub-Committee would be called to give advice on the wording of the decision.

The Chair then asked all but the Members of the Sub-Committee and Democratic Support Officers to disconnect from the meeting. The Sub-Committee then deliberated in private to consider their decision.

RESOLVED:

That the application for a new Premises Licence for Leicestershire County Cricket Club, County Ground, Grace Road, Leicester be GRANTED subject to the conditions consistent with the Operating Schedule, and conditions consistent with representations from the Licensing Enforcement Team, Noise Team and Leicestershire Police as detailed in Appendix C to the Officer's report.

The Sub-Committee had been asked to determine an application for a new Premises Licence. In reaching their decision the Sub-Committee Members had listened carefully to all of the representations and took account of the Statutory Guidance, the Regulators' Code and the Council's Licensing Policy.

The Sub-Committee heard that the Cricket Club had a history of cooperating fully with responsible authorities. It also had a history of successfully holding music events, in particular, a large-scale event in 2016.

The Sub-Committee were informed representations had been received from Leicestershire Police, the Council's Licensing Enforcement Manager and the

Council's Noise Team on all four of the licensing objectives. Following agreement with the Cricket Club on conditions to be attached to the licence if granted, those representations were now in favour of the grant of the licence.

The Sub-Committee were further informed of an outstanding single representation made by a local resident regarding the prevention of public nuisance arising from crowd noise, increased parking in the area and loud music, and the protection of children from harm arising from potential harm to their sleep patterns as a result of noise.

REASON FOR THE DECISION

The Sub-Committee stated that the additional conditions agreed by the Cricket Club with the Police and the appropriate Council authorities addressed issues raised in the representation of the local resident effectively, and were appropriate for promotion of the licensing objectives.

74. CLOSE OF MEETING

There being no other items of urgent business, the meeting closed at 11.29am.