



Leicester
City Council

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

Held: FRIDAY, 23 JULY 2021 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Fonseca

Councillor Westley

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1. APPOINTMENT OF CHAIR

Councillor Pickering was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

**4. APPLICATION FOR A NEW PREMISES LICENCE: THE AUGUSTINE
THEATRE, 35-49 POOL ROAD, LEICESTER, LE3 9GH**

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new Premises Licence for the Augustine Theatre, 35-49 Pool Road, Leicester, LE3 9GH.

The applicant, Mr Karl Strickland, was present, The Licensing Team Manager (Policy and Applications), and Legal Adviser to the Sub-Committee were also present. The objector did not attend the hearing.

The Licensing Team Manager presented the report and outlined details of the application. It was noted that an objection to the application was received on 28 June 2021 which necessitated the application being considered by the Sub-Committee.

Mr Strickland was given the opportunity to put forward his case, address

concerns raised by the objector and answer questions from Members and Officers.

All parties present were then given the opportunity to sum up.

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present.

In reaching their decision, Members 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.

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

The Chair then asked all but 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.

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

RESOLVED:

That the application for a new Premises Licence for the Augustine Theatre, 35-49 Pool Road, Leicester, LE3 9GH be GRANTED.

In reaching their decision, Members carefully considered the committee report presented by the Licensing Officer, all representations submitted on behalf of the applicant, the representations by a resident and the legal advice given during the hearing.

The Sub-Committee had been asked to determine an application for a new Premises Licence for 35-49 Pool Road. When considering this application, the licensing objectives were of paramount concern. The Sub-Committee Members considered the application on its own merits and in accordance with the licensing authority's statement of licensing policy and guidance issued under S.182 of the Licensing Act 2003.

Members were informed the application had been made by The Augustine Theatre Limited 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 Officer's report to Committee. Activities relating to plays and live music did not in the context of the application and the premises require licensing due to the activities taking place within permitted hours and the statutory set audience limit not being exceeded.

The resident who submitted the representation opposing the application did not attend however the Committee gave due consideration to the written

representation.

The residents' written representations engaged the licensing objective relating to the Prevention of Public Nuisance and it was submitted that this objective would not be upheld if the licence application was granted. Mr Strickland addressed each element of the residents' concerns and gave a detailed explanation of the management arrangements in place to resolve any issues that may arise. The arrangements included, for example, the fitting of double-glazed windows to control noise, marshaling by volunteers to stop parking issues, staggered release times, and use of noise meters to monitor sound levels.

Having considered all of the representations in detail the Sub-Committee were content to grant the application.

The Sub-Committee fully considered the issues raised by the representations but having heard from the applicant's representative, the Sub-Committee were satisfied that all aspects of the resident's concerns had been addressed and the Sub-Committee were satisfied that the proactive management arrangements put in place by the applicant would ensure that the licensing objectives would be upheld.

5. ANY OTHER URGENT BUSINESS

There being no other business, the meeting closed at 10.55am.

