



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 3 MAY 2022 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Cank

Councillor Gee

Councillor Fonseca

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1. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they had on the business on the agenda.

There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

AGREED:

That the Minutes of the meetings of the Licensing Enforcement Sub-Committee held 1 March 2022 and 5 April 2022 be confirmed as a correct record.

5. APPLICATION FOR STREET TRADING CONSENT FOR MR MARIUS VELICU, M&M FISH AND CHIPS CATERING, RAW DYEKES ROAD (NEAR CORNER OF FILBERT STREET), LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report on an application for a Street Trading Consent for Mr Marius Velicu, M&M Fish and Chips Catering, Raw Dykes Road (near corner of Filbert Street), Leicester.

The applicant, Mr Velicu, was present. Mrs Susan Holcroft (Objector), the Licensing Team Manager and Legal Adviser to the Sub-Committee were also present.

The Licensing Team Manager outlined details of the applicant, including the relevant City Council Guidelines.

Mrs Holcroft was invited to set out her objections to the application and answered questions from Members and Officers.

Mr Velicu was invited to set out the reasons why he ought to be granted Street Trading Consent and answered questions from Members and Officers.

All parties present were 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.

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 Officer to leave 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 Street Trading Consent for Mr Marius Velicu, M&M Fish and Chips Catering, on Raw Dykes Road (near corner of Filbert Street), Leicester be GRANTED subject to standard conditions and the following additional conditions. That the applicant shall:

1. Only trade at the location detailed as Option 2 on the photograph submitted with his application.
2. Only trade on Leicester City Football Club match day events.
3. Only sell fish & chips, fishcakes, breaded whitebait, kebabs and hot and cold drinks.

The applicant would be provided for the reasons for the decision in writing within 5 working days.

6. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during the consideration of the following report in accordance with the provisions of Section 100A (4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of “exempt” information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to an individual

Paragraph 2

Information that is likely to reveal the identity of an individual

Paragraph 7

Information relating to the any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime

C1) Personal Licence Review Application

C2) Personal Licence Review Application

7. PERSONAL LICENCE REVIEW APPLICATION

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a personal licence review.

The Personal Licence Holder was not present, The Licensing Team Manager and the Legal Adviser to the Sub-Committee were present.

The Licensing Team Manager presented the report and outlined the details of the application, including the relevant City Council Guidelines.

All parties present were 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.

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 Officer to leave 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 Personal Licence be REVOKED. Members agreed it was appropriate for the promotion of the licensing objectives to revoke the Personal Licence

The Personal Licence holder would be provided with the reasons for the decision in writing within 5 working days.

All parties would be advised of the right to appeal the decision to the Magistrates Court.

8. PERSONAL LICENSE REVIEW APPLICATION

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a personal licence review.

The Personal Licence Holder was not present, The Licensing Team Manager and the Legal Adviser to the Sub-Committee were present.

The Licensing Team Manager presented the report and outlined the details of the application, including the relevant City Council Guidelines.

All parties present were 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.

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.

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All parties would be advised of the right to appeal the decision to the Magistrates Court.

9. ANY OTHER URGENT BUSINESS

There being no other business, the meeting closed at 11.14am.

