



Leicester
City Council

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

Held: MONDAY, 16 MAY 2022 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Khan

Councillor Shelton

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12. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair for meeting.

13. APOLOGIES FOR ABSENCE

There were no apologies for absence.

14. DECLARATIONS OF INTEREST

There were no declarations of interest made.

15. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 31 March 2022 be confirmed as a correct record.

**16. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENSE:
BLACKBIRD NEWS, 222 BLACKBIRD ROAD, LEICESTER, LE4 0AF**

The Director of Neighbourhood and Environmental Services submitted a report on an application for the review of an existing premises license for Blackbird News, 222 Blackbird Road, Leicester, LE4 0AF.

The Chair led on introductions and outlined the procedure the meeting would follow.

The applicant, Leicestershire Fire and Rescue were not present. Present were Mrs Mina Parmar, Premises License Holder (PLH), accompanied by Anil Bhavsar, Licensing Agent. Also present was Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report and answered questions from Members. It was noted that a representation was received on 28 March 2022 from Leicestershire Fire & Rescue Service for the review of an existing premises license for Blackbird News, 222 Blackbird Road, Leicester, LE4 0AF. The application was made on the grounds of public safety. On 06 May 2022, Leicestershire Fire & Rescue Service withdrew its representation by email indicating that the work required at the premises, which had led to the representation, had now been completed. Although the representation had been withdrawn, the review application remained with the Sub-Committee for consideration. Prior to the meeting additional information had been circulated to members of the Sub-Committee from the Licensing Agent for the PLH.

Mrs Parmar and Mr Bhavsar were given the opportunity to address the Sub-Committee, put forward their case, address the original concerns raised by Leicestershire Fire and Rescue and answer any 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 the deliberation taking place with the parties represented present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced the decision and reasons would be publicly announced in writing within five working days.

The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Chair then informed the meeting that all but the Democratic Support Officer should withdraw from the room.

The Sub-Committee then deliberated in private to consider their decision.

In reaching their decision the Sub-Committee Members had carefully considered the written report presented by the Licensing Team Manager (Policy and Applications), all relevant representations written and oral and the legal advice given to them during the hearing. The Sub-Committee Members had taken account of the Statutory Guidance, the Regulators' Code and the

Council's Licensing Policy.

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

RESOLVED:

That it was appropriate for the promotion of the public safety licensing objective:

- to remove the Designated Premises Supervisor Mr Paresh Parmar, and
- to issue an informal warning to the Premises Licence holders Mr Kirit Parmar and Mrs Mina Parmar.

The Premises Licence Holders and the Fire Service would be provided with the reasons for the decision in writing within five working days.

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

17. ANY OTHER URGENT BUSINESS

There being no other Items of urgent business, the meeting closed at 10.56am.

