



Leicester  
City Council

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

Held: FRIDAY, 22 MARCH 2024 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Cank

Councillor Pantling

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**7. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**8. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**9. APPLICATION FOR A NEW PREMISES LICENSE FOR POPEYES,  
WELFORD ROAD LEICESTER**

Councillor Pickering, as Chair led on introductions and outlined the procedure the hearing would follow.

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for Popeyes, 40 Welford Road, Leicester.

The Applicant Mr Ali Afzal was in attendance. Also in attendance was Paul Hardwick, Leicestershire Police, and Jasvinder Mann, Noise and Pollution team. Also present was the 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 outlined details of the application.

A representation was received on 20<sup>th</sup> February 2024 from the Police. The representation related to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The

representee was concerned that the premises had been offering unauthorised licensable activities and the application was vague and did not refer to specific ways of promoting the licensing objectives.

A second representation was received on 23<sup>rd</sup> February 2024 from the Noise Team. The representation related the prevention of public nuisance. The representee was concerned about the proximity to neighbouring residential properties and the noise from deliveries, waiting customers and the flue running during the proposed hours. They had been in contact with the applicant and had proposed amended timings.

Mr Hardwick, Deputy Licensing Manager for Leicestershire Police, was given the opportunity to outline the details of the Police's representation and answered questions from Members.

Mr Mann, Noise and Pollution Control Officer was given the opportunity to outline the details of their representation and answered questions from Members and Officers.

Mr Afzal was given the opportunity to address the Sub-Committee and answered questions from the Members.

All parties present 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 their 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, 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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that the decision and reasons would be 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 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 Popeyes, 40 Welford Road, Leicester be GRANTED subject to conditions.

**Leicestershire Police conditions:**

1. The opening hours to the public:  
Monday to Thursday from 6pm until 2am.  
Friday to Sunday from 6pm until 3am.
2. Late Night Refreshment Operating hours:  
Monday to Thursday from 6pm until 2am.  
Friday to Sunday from 6pm until 3am.
3. Customers and delivery drivers/couriers will not be permitted on the premises between closing time to the public and 6pm.
4. The licence holder will ensure a high-definition resolution, coloured CCTV system is installed, operational and recording whilst the premises is open to the public. The system must permit the identification of individuals in all lighting conditions. Cameras must cover all areas that the public have access to, including the entrance/exit and pavement area immediately outside the front of the premises.
5. The licence holder will ensure CCTV images are securely stored, display an accurate date/time stamp (BST/GMT) and retained for a minimum of 31 days.
6. The licence holder will ensure that viewable CCTV images are provided in a downloadable format to an officer from a responsible authority within fourteen days of a request.
7. The licence holder shall ensure a trained member of staff is present on the premises whilst the premises is open to the public, who is able to operate the CCTV system and provided a playback facility to an officer from a responsible authority.
8. The licence holder will promote and ensure that all front of house staff are trained in public safety campaigns such as "Ask for Angela" or other similar schemes. A record of training must be retained for at least twelve months, kept on the premises and made available for inspection by an officer from a responsible authority upon request.
9. No more than ten customers will be permitted inside the premises at one time.
10. A lockable counter service hatch must be installed to prevent unauthorised access behind the counter and into the kitchen area.
11. The licence holder shall take reasonable steps to prevent public nuisance being caused by customers outside the premises and display prominent notices requesting customers respect the needs of local residents.
12. The licence holder shall ensure litter is collected within two meters of the premises building line, after the premises has closed to the public and at

the end of each day.

13. The licence holder shall ensure Mr Palwinder Singh will not be permitted to be employed or involved in the business in any capacity, regardless of if paid or not.

**Noise and Pollution Control Team conditions:**

1. Hours open to the public  
Monday-Thursday 18:00-02:00  
Friday-Sunday 18:00-03:00  
(Same as Leicestershire Police Condition 1)
2. Late Night Refreshment  
Monday-Thursday 18:00-02:00  
Friday-Sunday 18:00-03:00  
(Same as Leicestershire Police Condition 2)

**REASONS**

The sub-committee accepted that Mr Ali had terminated the employment of an individual who was the cause of concern and this action, and the reduction of then operating hours together with the 13 conditions put forward by the police and accepted by Mr Ali on behalf of the applicant would promote the licensing objectives. The sub-committee had confidence in Mr Ali's ability to uphold the licencing objectives and take the identified steps because Mr Ali had experience of running another take away which has a late-night refreshment licence and no issues had been recorded regarding those premises.

The Sub-Committee's decision was made in the interests of promoting the licensing objectives.

Any appeal against the decision must be made within 21 days to the Magistrates Court.

**10. OBJECTION NOTICE GIVEN FOR A TEMPORARY EVENT NOTICE: KING MARIO'S PIZZA, 1 LINTON STREET, LEICESTER, LE5 5JB**

Councillor Pickering as Chair welcomed led on introductions and outlined the procedure of the meeting.

The Director of Neighbourhood and Environmental Services submitted a report that required the sub-committee to determine objections relating to a Temporary Event Notices (TENs) submitted by the applicant Ms Pujara for King Mario's Pizza, 1 Linton Street.

The sub-committee noted that objection notices had been received from the Leicestershire Police and the Noise and Pollution Control Team in respect of a Temporary Event Notices (TENs) which necessitated that the Temporary Event Notices be considered by the sub-committee.

The notice giver Ms Himali Bipinbhai Pujara was accompanied by Mr Jignesh Bipinbhai Poojara, the owner of business, and Dolly Mavji Lodhari, the business partner. Also in attendance was Paul Hardwick and Chris Brown, Leicestershire Police, and Jasvinder Mann, Noise and Pollution team. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report. It was noted that an objection had been received from the Noise and Pollution Control Team on 18 March 2024 from Leicestershire Police on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety.

A second objection notice was received on 18 March 2024 from the Noise Team on the grounds of the prevention of public nuisance.

Paul Hardwick and Sergeant Chris Brown from Leicestershire Police, were given the opportunity to outline the reasons for objection and answered questions from Members.

Mr Mann, Noise and Pollution Control Officer was given the opportunity to outline the reasons for objection and answered questions from Members.

Ms Pujara and Mr Poojara were given the opportunity to respond to the objection and outlined their reasons for the application and the ways in which they were addressing the licensing objectives.

All parties present 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 their 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, 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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

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

**RESOLVED:**

The Sub-Committee's decision was that it was appropriate for the

promotion of the licensing objective of the prevention of crime and disorder, the prevention of public nuisance and public safety that the event should not go ahead. A Counter Notice would therefore be given.

## REASONS

The Sub-Committee accepted the objections put forward by the Police and the Noise team and concluded that the licensing objective would be undermined were the TEN to be granted. The TEN if granted would have allowed the premises to open until 4am and this in the opinion of the sub-committee would add to the saturation problems in the area and contribute to the vehicle and foot traffic which was causing nuisance to the residents in the area. The sub-committee accepted that the applicant himself and his business had not been involved in the crime and disorder in the area but nevertheless concluded that the licensing objectives would not be upheld if the TEN was granted. The sub-committee concluded that If the event were allowed to proceed it would result in unacceptable nuisance to residents.

Members noted that they were not able to impose conditions in the event authorisation was given for the activities.

Members had regard to the Statutory Guidance issued under s182 of the Licensing Act 2003.

Members had, in accordance with the Regulators' Code, taken a risk-based approach to the decision. The decision was made on the balance of probability.

## **11. ANY OTHER URGENT BUSINESS**

With there being no further business, the meeting closed at 11.54am.