



Leicester
City Council

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

Held: MONDAY, 10 AUGUST 2015 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Dr Barton

Councillor Hunter

* * * * *

1. APPOINTMENT OF CHAIR

RESOLVED:

That Councillor Byrne be elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Thomas.

Councillor Dr Barton agreed to sit on the panel as a replacement.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed.

There were no declarations.

4. MINUTES OF PREVIOUS MEETINGS

The minutes of the previous meetings on 9 June 2015 and 10 July 2015 were agreed as an accurate record.

**5. APPLICATION FOR THE REVIEW OF AN EXISTING PREMISES LICENCE:
THE LANCASTER ARMS, 234 GREEN LANE ROAD, LEICESTER LE5 4PA**

The Director of Local Services and Enforcement, submitted a report that required Members to determine an application for a review of an existing

premises licence for the Lancaster Arms, 234 Green Lane Road, Leicester LE5 4PA.

Members noted that a review application had been received, which necessitated that the application had to be considered by Members.

Mr Walaiti Rathore, solicitor for the Premises Licence Holder, Mr Kam Dhillon the Premises Licence Holder and PC Jon Webb from Leicestershire Police were present. Also present were the Solicitor to the Hearing Panel and the Licensing Team Manager.

Also present were four members of the public and a reporter from the Leicester Mercury.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. Colour photographs of the exterior of the premises were circulated at the meeting. It was noted the application for the review of the premises was made on the grounds of the prevention of crime and disorder, public safety and the prevention of public nuisance.

PC Jon Webb outlined the reasons for the application for the review of the licence and informed Members that agreement had been reached with the Premises Licence holder for jointly proposed conditions to be added to the licence. PC Jon Webb answered questions from Members.

Mr Rathore was then given the opportunity to respond to the application for the review of the licence. Mr Rathore submitted that the Premises Licence holder did not agree all of the allegations but had agreed onerous and prescriptive conditions with the police that gave a framework for both parties to move forward.

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

Prior to Members considering the application, the Solicitor to the Hearing Panel advised Members of the options available to them in making a decision. Members 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.

The Licensing Team Manager, the Solicitor to the Hearing Panel, Mr Rathore solicitor, Mr Dhillon the Premises Licence holder, PC Jon Webb, 4 members of the public and the press then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Hearing Panel was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr Rathore solicitor, Mr Dhillon the Premises Licence holder, PC Jon Webb, 4 members of the public and the press then returned to the meeting.

The Chair informed all persons present that they had recalled the Solicitor to the Hearing Panel for advice on the wording of their decision.

RESOLVED:

That the conditions of the existing premises licence for The Lancaster Arms, 234 Green Land Road, Leicester LE5 4PA be modified to add the seven conditions as agreed with the Police and one additional condition as follows:

1. The premises will install and maintain CCTV in accordance with the Information Commissioner's Codes of Practice:
 - a. Images to be recorded during the provision of licensable activities and will be retained for a minimum of 31 days,
 - b. Images will be made available to the Police and other Responsible Authorities within 24 hours of a request being made but subject to the Information Commissioner's Codes of Practice and the Data Protection Act.
2. A Challenge 25 Scheme shall operate at the premises. Any person who appears to be under 25 years of age shall not be served alcohol unless they produce an acceptable form of identification.
3. A refusals book shall be kept at the premises to record all incidents when service is refused:
 - a. Such record to be retained at the premises for at least 12 months, and shall be made available for inspection and copying by the Police or other officers of Responsible Authorities, immediately upon request.
4. An incident/accident book shall be kept to record all incidents of disorder, damage to property and personal injury at the premises. This book to be made available for inspection and copying by the Police and other officers of Responsible Authorities immediately upon request and all such books to be retained at the premises for at least 12 months.
5. All incidents or crimes which lead to injury, disorder and damage to property shall be reported to the Police.
6. Open glass bottles or vessels shall not be permitted in the external car park area after 22:00 hours and the car park area shall be checked for any glass vessels before the premises close,
7. A training book shall be maintained which contains written records of the training and advice given to staff responsible for the sale of alcohol (whether paid or unpaid). This training is to be conducted every 6months and signatures recorded on each occasion against that training of the trainer and trainee. Training will include:
 - Preventing underage sales of alcohol;

- Preventing proxy sales of alcohol to underage persons;
 - Preventing sale of alcohol to a person who is drunk.
8. The current Designated Premises Supervisor (DPS) be removed and replaced with a new DPS to be appointed within 4 weeks of today's decision.

The Hearing Panel came to the decision to modify the licence as they were not satisfied in Mr Kam Dhillon's ability to uphold the licensing objectives, namely preventing crime and disorder, public safety and prevention of public nuisance.

The meeting closed at 10.43am