



Leicester
City Council

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

Held: FRIDAY, 28 AUGUST 2015 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Cank

Councillor Sangster

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7. APPOINTMENT OF CHAIR

Councillor Thomas was elected as Chair for the meeting.

8. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Kitterick (Councillor for the Castle Ward), who had hoped to address the Sub-Committee on his representation on the application but could not attend as he was abroad.

9. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed. No interests were declared.

**10. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE
IMPACT ZONE: GOURMET COFFEE BAR & KITCHEN, LEICESTER
RAILWAY STATION**

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application within a Cumulative Impact Zone for a new premises licence Gourmet Coffee Bar and Kitchen, Leicester Railway Station.

Members noted that two representations had been received in respect of the application, which necessitated that the application had to be considered by Members.

Mr William Laycock Operations Manager, Gourmet Coffee Bar and Kitchen,

representing the applicant and Mr Nigel Rixon, Licensing Manager, Leicestershire Police were present. Also present was the Licensing Team Manager and the Solicitor to the Sub-Committee.

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

The Licensing Team Manager presented the report. There were no questions on the report from Members or the applicant.

Mr Nigel Rixon outlined the reasons for the Police representation and answered questions from Members. He also outlined the Policing Operations which took place around Leicester Station when Leicester City Football Club were playing matches at their home ground.

Mr William Laycock was then given the opportunity to outline the details of the application and respond to the points made in the representations and answered questions from Members.

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 Sub-Committee 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 Sub-Committee, Mr Rixon and Mr Laycock then withdrew from the meeting.

Members then gave the application full and detailed consideration.

The Solicitor to the Sub-Committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr Rixon and Mr Laycock then returned to the meeting.

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

RESOLVED:

That the application for a new premises licence for Gourmet Coffee Bar and Kitchen, Leicester Railway Station, within a Cumulative Impact Zone be refused.

REASONS FOR THE DECISION

The Sub-Committee had read all of the material put before it and listened carefully to the additional amplification of the application made by the representations helpfully set out during the hearing.

The application was made in an identified Cumulative Impact Zone and therefore the applicant faced the task of persuading the Sub-Committee that this application should be granted on the basis that it was unlikely to add to existing problems or undermine the licensing objectives.

The Sub-Committee considered the written representations from Councillor Kitterick who had reminded them of the longstanding problems in the area in question, as had the Police, and its sensitivity. Although Councillor Kitterick did not attend to amplify that representation and give further details of any current problems.

The Police's representation was that the application should be refused but that if the Sub-Committee were minded to grant it, that it was appropriate and proportionate to add five conditions which the applicant's representative clarified was content to see added to the licence.

The applicant's representative explained to the Sub-Committee their intended style of operation as an upmarket coffee bar and small restaurant and sought to reassure the Sub-Committee that by its style of operation it was unlikely to add to any existing problems especially in light of the five proposed conditions. The applicant's representative highlighted to the Sub-Committee amongst other things, their pricing structure, their likely hours of operation and their intended clientele.

However, taking all of these matters into account the Sub-Committee was not persuaded that the applicant had demonstrated that the granting of this application with the proposed conditions would be unlikely to add to the existing problems in this area. The Sub-Committee was concerned that the applicant seemed not to have considered at all, before representations against the application were received, that the location was in a Cumulative Impact Zone. There appeared to have been a surprising failure to engage with the Police and the community in preparation for making the application and to think it through in advance so that it could better be explained to the Sub-Committee those steps that the applicant intended to make to meet the problems in the Cumulative Impact Zone and promote the licensing objectives.

The Sub-Committee had considered whether it could grant the application in some reduced form or with other conditions but was not satisfied that its concerns would be alleviated if it did so.

