



Leicester
City Council

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

Held: THURSDAY, 15 OCTOBER 2015 at 9:30 am

P R E S E N T:

Councillor Cank (Chair)

Councillor Fonseca

Councillor Hunter

* * * * *

1. APPOINTMENT OF CHAIR

Councillor Cank was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Thomas shortly after the agenda was published. Arrangements were made for Councillor Fonseca to attend as the third Member of the Sub-Committee, in accordance with the Sub-Committee's Terms of Reference.

3. DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary or other interest they may have in the business on the agenda.

There were no declarations.

4. APPLICATION FOR A NEW PREMISES LICENCE: 45 WEST DISTILLERS LTD, 4A HOTEL STREET, LEICESTER

The Director, Local Services and Enforcement, submitted a report that required Members to determine an application for a new premises licence for 45 West Distillers Ltd, 4a Hotel Street, Leicester.

Prior to the Hearing an agreement was made between the two parties that the licence be granted, subject to a condition that the terms referred to in paragraph 17.3 to close of the draft fire risk assessment issued on 13 October 2015 be implemented.

Members of the Licensing Hearings Sub-Committee were in agreement that a Hearing was no longer required and that the licence be issued with the additional agreed condition above.

**5. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE:
PIZZA PAN, 745 AYLESTONE ROAD, LEICESTER, LE2 8TG**

The Director of Local Services and Enforcement submitted a report that required Members to determine an application for a variation of an existing premises licence for Pizza Pan, 745 Aylestone Road, Leicester, LE2 8TG.

Members noted that four representations had been received; two from members of the public together with representations from two local Councillors in respect of the application. This necessitated that the application for a variation of an existing licence had to be considered by Members. The report also highlighted the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

The applicant Mr Amardip Singh Rai and Councillor Clarke and Councillor Porter (Members of the Aylestone Ward who had made representations) were present at the hearing. The Licensing Team Manager and the Solicitor to the Sub-Committee were also present. It was noted that two of those who had made representations were not present but one had contacted the Licensing Team Manager to give their apologies and had submitted additional information in support of their representation, which was read out to those present by the Licensing Team Manager. It was stated that not all the objectors' additional information was relevant to the consideration of the application but it was for the Sub-Committee to consider the relevant points.

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

The Licensing Team Manager presented the report and outlined the details of the application. It was noted from the report that four representations had been received between the 18th September and 28th September 2015 that related to the prevention of crime and disorder, public safety, prevention of public nuisance and sales to underage customers. There were no questions on the report from Members, the Ward Councillors or the applicant.

Councillor Clarke and Councillor Porter outlined the reasons for their representations.

Mr Amardip Singh Rai was then given the opportunity to outline the details of the application, responded 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.

The Solicitor to the Sub-Committee advised Members of the options available to them in making a decision.

The Licensing Team Manager, the Solicitor to the Sub-Committee, the applicant and the two Ward Councillors then withdrew from the meeting.

The Members then gave the application their full and detailed consideration.

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

The Licensing Manager, the applicant and the two Ward Councillors then returned to the meeting.

The Chair informed all 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 variation of an existing premises licence for Pizza Pan, 745 Aylestone Road, Leicester, LE2 8TG be refused.

REASONS FOR THE DECISION

The Sub-Committee had decided not to grant the variation of the licence because the panel had not heard sufficient evidence to satisfy them and to demonstrate to them that the four licencing objectives of the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm/ sales to underage customers would be upheld. The applicant had not provided any evidence at the hearing that would alleviate the Sub-Committees concerns.

6. CLOSE OF MEETING

The meeting closed at 10.40am.

