



Leicester
City Council

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

Held: TUESDAY, 17 MAY 2016 at 9:30 am

P R E S E N T:

Councillor Thomas (Chair)

Councillor Cank

Councillor Hunter

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1. APPOINTMENT OF CHAIR

Councillor Thomas was elected as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

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

Councillor Thomas declared that he had an "other interest" in the St Andrews Sports Club as he had been a sportsman for many years and knew of this football club. Councillor Thomas declared that he had also read recent comments in the Leicester Mercury but maintained an open mind.

In accordance with the Council's Code of Conduct, the interest was not considered so significant that it was likely to prejudice Members' judgement of the public interest and Councillor Thomas, therefore was not required to withdraw from the meeting.

4. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the Licensing (Hearings) sub-committee held

on 18 March 2016, 1 April 2016, 21 April 2016 and 29 April 2016 be confirmed as an accurate record.

5. APPLICATION FOR A NEW PREMISES LICENCE: ST ANDREWS SPORTS CLUB, CANAL STREET, LEICESTER LE2 8LX

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a new premises licence for St Andrews Sports Club, Canal Street, Leicester LE2 8LX

The sub-committee noted that a representation had been received in respect of the application which necessitated that the application be considered by Members.

Mr Brett Wells, the applicant was present, as was the Noise Team officer, the Licensing Team Manager and the Solicitor to the sub-committee.

Introductions were led by the Chair and the procedure for the meeting was outlined to those present.

It was noted that additional information in the form of documentary evidence relating to an online petition from Mr Wells, the applicant had been circulated to Members prior to the hearing, as this contained individual names and addresses it was not for publication.

The Licensing Team Manager presented the report. It was noted that six representations had been received from a Noise Pollution Officer, a Ward Councillor and four residents that related to the licensing objective namely the prevention of public nuisance and concerns had been raised that loud music from the event would cause a nuisance to nearby residents and premises users.

The sub-committee were informed that discussions and a meeting had taken place between the applicant, the Ward Councillor, a representative of the Noise Team and a licensing officer.

The sub-committee were also informed that a mediation process had been offered to all of the representees after the representation period had ended.

The applicant had proposed a number of additional conditions that were circulated to all representees. Five representees had responded that they continued to have concerns and one representee was in agreement with the conditions put forward. The Licensing Officer circulated a copy of the proposed additional conditions.

The Noise Team officer outlined the reasons for the representation and responded to questions from Members.

It was noted that the other representees were not present and their written representations were before the sub-committee. Councillor Clarke (ward

councillor) had sent apologies that he was unable to attend and the sub-committee confirmed that Councillor Clarke's written representation and additional comments had been read and noted.

Mr Wells, the applicant was then given the opportunity to outline the application, respond to the points made and to answer questions from Members.

All parties were then given the opportunity to sum up their positions and make 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 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 that 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 in the presence of the parties.

The Licensing Team Manager, the Solicitor to the sub-committee, the Noise Team officer and Mr Wells, the applicant 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 meeting to give advice on the wording of the decision.

The Licensing Team Manager, the Noise Team officer and Mr Wells, the applicant 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: St Andrews Sports Club, Canal Street, Leicester LE2 8LX be granted subject to the conditions consistent with the operating schedule (at appendix C of the report) together with the additional conditions proposed by the Applicant and amended as follows:

1. The licence holder to ensure that the event ends at 10pm prompt,
2. The licence holder to ensure that there is no live music before 4pm and amplified music shall be reduced between 1pm and 4pm (to avoid unduly interfering with the weddings in the vicinity),
3. The licence holder to ensure a travel plan is in place to direct ticket holders away from the immediate vicinity of the event and to guide people to organised parking spots at British Gas and Saffron Lane Stadium and that this is strictly adhered to, (Event volunteers, performers and private hire vehicles will be granted access)
4. The licence holder to ensure that there are adequate numbers of bins

around the site to reduce litter and to ensure that litter is collected throughout the event and the following morning,

5. The licence holder to ensure there is a single point contact telephone number for the day for local residents to use should issues arise.

After considering the application and objections carefully the sub-committee decided to grant the licence with the additional conditions as agreed to by the applicant.

6. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: HARVEYS, 43 BELVOIR STREET, LEICESTER LE1 6SL

The Director of Neighbourhood and Environmental Services submitted a report that required Members to determine an application for a variation of an existing premises licence within a cumulative impact zone for Harveys, 43 Belvoir Street, Leicester LE1 6SL.

Members noted that a representation had been received in respect of the application which necessitated that the application be considered by Members.

The Licensing Team Manager and the Solicitor to the sub-committee were present. The applicant, the applicant's solicitor and the representees were not present.

The Licensing Team Manager informed Members that the applicant's solicitor had requested an adjournment by email as he was unable to attend. All parties had been informed of the request for an adjournment and there were no specific objections to an adjournment being granted.

Members considered the request for an adjournment and agreed that it was in the public interest to adjourn to a new date.

RESOLVED:

That the application for a variation of an existing premises licence within a cumulative impact zone: Harveys, 43 Belvoir Street, Leicester LE1 6SL be adjourned to Thursday 16th June 2016 at 9.30am.

7. CLOSE OF MEETING

There being no other business the meeting closed at 11.15am.

