



Leicester
City Council

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

Held: WEDNESDAY, 9 NOVEMBER 2016 at 5:45 pm

P R E S E N T:

Councillor Cank (Chair)

Councillor Cole

Councillor Shelton

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1. APPOINTMENT OF CHAIR

Councillor Cank was elected 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 interests they may have in the business on the agenda.

There were no declarations of interest.

4. APPLICATION FOR A NEW PREMISES LICENCE: BALI'S NEWS & BOOZE, 4A PRINCESS ROAD WEST, LEICESTER LE1 6TP

The Director of Neighbourhood and Environmental Services, submitted a report that required Members to determine an application for a new premises licence for Bali's News and Booze, 4a Princess Road West, Leicester, LE1 6TP.

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

The applicant, Mr Bali Singh Thakar, was not present at the meeting. Councillor Kitterick and Councillor Senior (Castle Ward Councillors) were present as they had made representations. 12 residents and representatives from local

businesses were present as persons who had made representations. PC Jonathan Webb from Leicestershire Police, the Licensing Team Manager and the Solicitor to the Sub-Committee were also present at the hearing.

It was noted that members of the public who had not made representations were also present.

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

The Licensing Team Manager presented the report and outlined the details of the application. It was noted that a representation was received on 6th October 2016 from Leicestershire Police that related to the licensing objectives, namely the prevention of crime and disorder, and the prevention of public nuisance. The Police had subsequently reached an agreement with the applicant for additional conditions to be added to the licence and modification of hours for the sale of alcohol.

It was noted that two representations were received from Castle Ward Councillors between 28th September and 30th September 2016. These related to the licensing objectives of the prevention of crime and disorder, and the prevention of public nuisance.

The meeting also heard that representations were received from 29 local residents, businesses and workers in the area between 3rd October and 19th October 2016. The representations related to the prevention of crime and disorder, public nuisance, protection of children from harm and public safety.

PC Webb outlined the reasons for the representation and subsequent agreement, and answered questions from Members and representees.

Councillor Senior and Councillor Kitterick outlined the reasons for their representations and answered questions from Members.

Those representees present were then given the opportunity to outline their 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, Solicitor to the Sub-Committee, PC Webb,

Councillor Kitterick, Councillor Senior, the 12 residents and representatives from local businesses, and all members of the public withdraw 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, PC Webb, Councillor Kitterick, Councillor Senior, the 12 residents and representatives from local businesses, and all members of the public returned to the meeting.

RESOLVED:

that the application for a new premises licence for Bali's News & Booze, 4a Princess Road West, Leicester, LE1 6TP, be refused

In making its decision, the Sub-Committee had regard to the Council's licensing policy, the government guidance and the four licensing objectives. The Sub-Committee had also considered the written representations and the oral presentations given. The Sub-Committee found that the applicant had not demonstrated in his application that the granting of the licence, with or without conditions would not add to the existing problems highlighted by the representees, predominantly with street drinkers.

The Sub-Committee felt that granting the licence would undermine the four licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. The Sub-Committee therefore decided to refuse the application.

The applicant had the right of appeal to the magistrates court and would receive written confirmation of the decision within the next few days.

5. CLOSE OF MEETING

The Chair declared the meeting closed at 7.25pm.

