



Leicester  
City Council

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

Held: TUESDAY, 27 FEBRUARY 2024 at 11:30 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Pantling

Councillor Whittle

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**1. APPOINTMENT OF CHAIR**

Councillor Pickering was appointed as Chair.

**2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**4. MINUTES OF PREVIOUS MEETING**

The minutes of the previous meeting held on 8<sup>th</sup> November 2023 has been circulated and members confirmed that they were a correct record.

**5. APPLICATION FOR A NEW PREMISES LICENCE - BUNGLES BAR, 13 KINGS STREET, LEICESTER**

Councillor Pickering, as Chair led on introductions and outlined the procedure the hearing would follow.

The Director of Neighbourhood and Environmental Services submitted a report on an application for a new premises licence for Bungles Bar, 13 King Street, Leicester.

The Applicants Mr Keith Fletcher (DPS), Mr Ashley Mitchell and Ms Charlene Driver were in attendance. Also in attendance was PC Jefferson Pritchard,

Leicestershire Police, Vandana Lad, Noise and Pollution team, Councillor Patrick Kitterick, Castle Ward and Mr and Mrs Dickinson. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

The Licensing Team Manager (Policy and Applications) presented the report and outlined details of the application.

A representation was received on 30 January 2024 from an interested party. The representation related to the prevention of crime and disorder and the prevention of public nuisance. The representee was concerned due to the traffic between premises and the public space in between.

A second representation was received on 02 February 2024 from a member of the public. The representation related to the prevention of crime and disorder and the prevention of public nuisance. The representee was concerned that it was likely to cause increased noise and disturbance to people living nearby and the closeness to a problematic premises.

A third representation was received from the Noise Team. The representation related to the prevention of public nuisance. The representee was concerned that the level of amplified music that would be heard in the surrounding properties and may lead to sleep deprivation. They are also concerned over the level of noise that may be heard from the location of the smoking area at the front of the premises. The Noise Team had made contact with the applicant and had reached an agreement with conditions to be added to the licence, if granted.

A fourth representation was received on 8 February 2024 from Leicestershire Police. The representation related to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The Police were concerned that there was a real possibility that the premises could contribute towards existing violent crime in the area. They had been in contact with the applicant and had reached an agreement with conditions to be added to the licence, if granted.

Mr Pritchard, Police Constable for Leicestershire Police, was given the opportunity to outline the details of the Police's representation and answered questions from Members, Representees and Officers.

Ms Lad, Noise and Pollution Control Officer was given the opportunity to outline the details of their representation and answered questions from Members, Representees and Officers.

Councillor Kitterick, Castle Ward Elected Member was given the opportunity to outline the details of their representation and answered questions from Members and Officers.

Mr and Mrs Dickinson were given the opportunity to outline the details of their representation and answered questions from Members and Officers.

The applicants, Mr Kevin Fletcher, Mr Ashley Mitchell and Ms Charlene Driver were given the opportunity to address the Sub-Committee and answered questions from the Members, Representees and Officers.

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

The Sub-Committee received legal advice from the Legal Adviser to the Sub-Committee in the presence of all those present and were advised of the options available to them in making their decision. The Sub-Committee 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, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

The Chair announced that the decision and reasons would be announced in writing within five working days. The Chair informed the meeting that the Legal Adviser to the Sub-Committee would be called back to give advice on the wording of the decision.

The Sub-Committee recalled the Legal Adviser to the Sub-Committee to give advice on the wording of the decision.

RESOLVED:

That the application for a new premises licence for Bungles Bar – 13 King Street, Leicester, LE1 6RN, be **GRANTED**, subject to the conditions agreed with Leicestershire Police and the Noise and Pollution Control Team and conditions as remain consistent with the operating schedule.

**Leicestershire Police conditions:**

**Amendment to Condition 1**

The licence holder will ensure all licensable activities cease at the following times:

Sunday – Tuesday no later than 3am  
Wednesday – Saturday no later than 3.30am

**Amendment to Condition 2**

The licence holder will ensure customers are not permitted to enter or re-enter the premises after 2am, Sunday – Tuesday and 2.30am, Wednesday - Saturday, except for those customers using the rear enclosed courtyard adjoining New Walk.

#### Amendment to Condition 4

The licence holder will ensure no customers/members of the public remain on the premises between 3am and 8am Sunday – Tuesday and 3.30am and 8am Wednesday - Saturday.

#### Amendment to Condition 7

The licence holder will ensure a minimum of one Security Industry Authority (SIA) front line door supervisor must be on duty on Monday to Sunday from 10pm and remain on the premises until the premises closes to the public.

#### **Noise and Pollution Control Team conditions:**

#### Amendment to Condition 5

All licensable activity pertaining to live music and recorded music to cease by 2.30am Sunday – Tuesday and 3am Wednesday - Saturday.

#### REASONS

Members accepted the concerns raised within the representations, however, were of the opinion that the imposition of the additional conditions, which were justifiable and proportionate, were sufficient to mitigate concerns raised regarding the premises. Members were also of the opinion that the additional conditions would ensure the Applicant would manage the premises in a manner that will promote and uphold the licensing objectives and in compliance with the requirements of the Licensing Act 2003.

The Sub-Committee's decision was made in the interests of promoting the licensing objectives.

Any appeal against the decision must be made within 21 days to the Magistrates Court.

#### **6. ANY OTHER URGENT BUSINESS**

With there being no further business, the hearing closed at 2:29pm.