



Leicester
City Council

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

Held: TUESDAY, 23 APRIL 2024 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Chauhan

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.

4. PRIVATE SESSION

RESOLVED:

That the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act, and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to an individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7

Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

B1) Application to transfer an existing Premises Licence Holder and vary the Designated Premises Supervisor Natterjacks, 52A Braunstone Gate, Leicester, LE3 5LG

5. APPLICATION TO TRANSFER AN EXISTING PREMISES LICENCE HOLDER AND VARY THE DESIGNATED PREMISES SUPERVISOR - NATTERJACKS, 52A BRAUNSTONE GATE, LEICESTER, LE3 5LG

Councillor Pickering, as Chair welcomed all to the Committee and outlined the proceedings of the hearing.

The Director of Neighbourhood and Environmental Services submitted a report on an application for a transfer and DPS variation to an existing premises licence for Natterajcks, 52 Braunstone Gate, Leicester.

The applicant was not present. PC Jefferson Pritchard, Leicestershire Police was present. Also present were the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee. was PC Jefferson Pritchard, Leicestershire Police.

A representation was received on 4th April 2024 from Leicestershire Police in relation to the prevention of crime and disorder. Leicestershire Police were concerned that they had tried on a number of occasions to contact the applicants via phone and email to discuss the application as they have a number of concerns. As no contact had been made, the Police were unable to assess the application.

PC Pritchard was given the opportunity to outline the details of the Police representation and answered questions from Members.

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:

The Sub-Committee had considered the options available to them. As a result of what they had heard, Members were satisfied that that it was appropriate and proportionate considering the crime prevention objective and having regard to the police representation, to REJECT the application for a transfer of the premises licence.

REASONS

Members accepted the evidence presented by the police. They had no confidence that this was a genuine application and accepted the evidence from the police regarding the absence of management at the premises and evasiveness of all individuals connected to the premises.

The committee were also satisfied that the licensable activities may have been undertaken unlawfully between 14th March and 22nd March 2024. In addition, the failure of the applicant to contact or engage with the police was not acceptable and accordingly the Committee concluded that the granting of this application would not promote the Crime prevention objective.

The Applicant can appeal against the decision to the Magistrates Court within 21 days of being notified.

6. ANY OTHER URGENT BUSINESS

With there being no further business, the meeting closed at 11:00am.