



Leicester  
City Council

Notes of the  
HEARING UNDER THE LICENSING ACT 2003

Held: FRIDAY, 14 MARCH 2014 at 9:30am

P R E S E N T:

Councillor Clarke - Chair

Councillor Naylor

Councillor Shelton

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**1. APPOINTMENT OF CHAIR**

Councillor Clarke was elected as Chair for the meeting.

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Westley. Councillor Naylor was present in his absence.

**3. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**4. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: KINGS NEWS, 11 KING STREET, LEICESTER LE1 6RN**

The Director, Environmental Services, submitted a report that required Members to determine an application for a new premises licence within a Cumulative Impact Zone for Kings News, 11 King Street, Leicester, LE1 6RN.

Members noted that a representation had been received in respect of the application, which necessitated that the application for a new premises licence had to be considered by Members.

Mr Junaid Ikleriya (Designated Premises Supervisor / Premises Licence Holder), and Ms Jo Taylor (Licensing Consultants for the applicant) were present at the meeting. Also present was PC Jon Webb from Leicestershire Police, who had made a representation. Also present were the Licensing Team Manager and Solicitor to the hearing panel.

The Licensing Team Manager presented the report. Colour photographs of the exterior of the premises were circulated to all those present at the meeting. It

was noted that the representation from Leicestershire Police was made on the grounds of the prevention of crime and disorder, the prevention of public nuisance, and public safety. The representation referred to the Local Policy on Cumulative Impact for the Belvoir Street Gate area, introduced by Leicester City Council in February 2011, which created a rebuttable presumption that an application for new licences would be refused. The Licensing Team Manager said that some of the conditions requested by the Police were superseded by those proposed by the applicant.

PC Webb on behalf of the Police outlined the reasons for the representation and answered questions from Members:

- PC Webb referred to the representation attached to the report.
- The Police had had dialogue with the applicant, and the CIZ was referred to in the application.
- The convenience store was near to bars and clubs that were open up to and past 2.00am.
- There were no other off-sales premises in the area that sold alcohol up to 2.00am.
- There were pre-loading and side-loading issues in the city centre, and the police were concerned that discarded empty bottles could be used as weapons.
- It was expected that purchased alcohol would be drunk on the streets which were covered by the street drinking ban.
- The Police reported on the level of incidents in the area, and the extra police resources required in the area.
- The applicant had taken the Police's concerns seriously and had employed a registered SIA door person in connection with his current licence for late night refreshment, but it would not prevent people drinking on the streets.
- The police had requested that no sale of alcohol take place until 07.00 hours to prevent those leaving clubs and bars a 06.00 hours from purchasing alcohol.
- The police asked that the terminal hour for the sale of alcohol should be 23.30 hours, to be accompanied by signage to inform customers, and prevent disturbances in the shop.
- The Police had not recommended refusal of the application, as they believed that the sale of alcohol from the premises during the daytime was not a cause for concern.
- There was one other premises in the area with off-sales during the day, with licensable hours of 06.00 – 23.00 hours.

Mr Ikleriya and Ms Taylor were given the opportunity to respond to the points made:

- Ms Taylor said the applicant was aware of the CIZ and the effect on police resources in the area.
- The applicant was in agreement with the police to reduce the sale of alcohol from 07.00 hours to 23.30 hours.

- Alcohol on the premises would form 10% of total stock and would be in direct view of the sales counter.
- A shutter system would be used during unlicensed hours.
- No cheap alcohol pricing policies would be used, and no cheap, high-strength beers would be stocked, though wine and spirits would be sold.
- Available to staff was an online training facility which each staff member would undertake.
- The licence holder was aware of his legal responsibilities.
- The applicant was also the DPS and resided above the premises.
- The applicant agreed to all the police suggested conditions, and did not want to place additional stress on police resources.

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

The Police said the application was for a premises in a CIZ, but if the Committee were minded to grant the application, the Police believed that with the additional conditions put forward, the premises would not add impact to the CIZ.

The Licensing Team Manager informed the meeting that condition 9 in conditions consistent with the operating schedule should be omitted as it was covered by other legislation.

Prior to deliberation, the Solicitor to the hearing panel advised Members of 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 decisions.

The Licensing Team Manager, the Solicitor to the hearing panel, Mr Ikleriya and Ms Taylor then withdrew from the meeting.

Members gave the application full and detailed consideration.

The Solicitor to the hearing panel was re-called to advise the Members on the wording of their decision.

The Licensing Team Manager, the Solicitor to the hearing panel, Mr Ikleriya and Ms Taylor then returned to the meeting.

The Chair informed everyone present that the Solicitor to the hearing panel had been re-called to advise the Members on the wording of their decision.

**RESOLVED:**

The Committee decided to grant a new premises licence within a cumulative impact zone for Kings News, 11 King Street, Leicester, LE1 6RN.

The Committee Members came to the decision to grant the licence broadly in line with Leicestershire Police's representation, with the following amendments

to the conditions in the Operating Schedule and the Police's representation.

The decided to omit conditions 6, 9 and 10 in the Operating Schedule, to amend condition 2 in the Police's representation to read 'No alcohol to be accessible to the public between 23.00hours and 07.00hours by means of lockable storage, and in order to uphold the licensing objectives for licensable hours for the sale of alcohol are to be 07.00 hours to 23.00 hours, to bring the premises in line with other off-sales premises in the area.

Conditions 1, 3, 4, 5 and 7 proposed in the operating schedule shall not be imposed on the licence because they are superseded by conditions proposed by the Police.

The Committee said with the conditions attached to the licence, they were satisfied that the cumulative impact was not relevant due to the hours of trading.

## **5. CLOSE OF MEETING**

The meeting closed at 10.40am.