



Leicester
City Council

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

Held: FRIDAY, 5 APRIL 2019 at 9:30 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Cank

Councillor Shelton

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82. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair for the meeting

83. APOLOGIES FOR ABSENCE

There were no apologies for absence

84. DECLARATIONS OF INTEREST

There were no declarations of interest.

85. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 1 March 2019 be confirmed as a correct record.

86. APPLICATION FOR A NEW PREMISES LICENCE WITHIN A CUMULATIVE IMPACT ZONE: TIGRE EYES RESTAURANT, 7 ABBEY STREET, LEICESTER, LE1 3TE

The Director of Neighbourhood and Environmental Services submitted a report that required the Sub-Committee to determine an application for a new premises licence within the Cumulative Impact Zone for Tigre Eyes, 7 Abbey Street, Leicester, LE1 3TE

The Sub-Committee noted that a representation had been received which necessitated that the application for a new premises had to be considered by the Sub-Committee.

The applicant Alina-Iuliana Axinte was present with her licensing agent Mr Anil Bhawsar. Mr Nigel Rixon and PC Pritchard from Leicestershire Police were present at the meeting. The Licensing Team Manager and The Legal Advisor to the Sub-Committee 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 details of the application. It was noted that a representation had been received from Leicestershire Police on 7 February 2019 relating to the licensing objective of the prevention of crime and disorder, the prevention of public nuisance and public safety and concerns that the restaurant was located within a Cumulative Impact Zone.

Mr Rixon and PC Pritchard outlined the reasons for the police's representation and answered questions from the Sub-Committee.

The applicant Alina-Iuliana Axinte and her licensing agent were then given the opportunity to respond to the points made and answered questions from the sub-Committee and the Police.

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

Prior to the Sub-Committee considering the application, the Legal Advisor to the Sub-Committee advised on the options available to them in making a decision, and relevant policy and statutory guidance that needed to be taken into account when making their decision.

In reaching their decision the Sub-Committee 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 being present.

The Licensing Team Manager, Legal Advisor to the Sub-Committee, Mr Rixon, PC Pritchard from Leicestershire Police, the applicant Alina-Iuliana Axinte and the licensing agent Mr Anil Bhawsar then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Legal Advisor to the Sub-Committee was recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr Rixon and PC Pritchard from Leicestershire Police, the applicant Alina-Iuliana Axinte and the licensing agent Mr Anil Bhawsar then returned to the meeting.

The Chair informed all persons that they had recalled the Legal Advisor to the

Sub-Committee for advice on the wording of the decision.

RESOLVED:

That the application for a new premises licence within a Cumulative Impact Zone, Tigre Eyes Restaurant, 7 Abbey Street, Leicester, LE1 3TE, be GRANTED.

REASON FOR THE DECISION:

Having listened carefully to all representations and taken into account the Statutory Guidance and the Council's Licensing Policy on Cumulative Impact in relation to the Churchgate area of the city.

The Sub-Committee decided that granting the licence subject to the conditions put forward by the applicant and Leicestershire Police would not add to the existing problems of cumulative impact in the area.

CONDITIONS CONSISTENT WITH THE REPRESENTATION FROM
LEICESTERSHIRE POLICE

1. CCTV to be installed as indicated in the application sketch plan and recording whilst the premises are open to the public.
2. CCTV must be retained for a minimum of 28 days.
3. CCTV to be accessible in a viewable and recordable format to the Police and Local Authority within 72 hours of being requested.
4. An onsite member of staff must be present who can operate the CCTV recording system whilst the premises is open to the public.
5. A 'Challenge 25 Policy' to be adopted and enforced in line with the British Beer & Pub Association (BBPA).
6. Alcohol to be consumed on the premises only.
7. Customers are not permitted to consume/supply their own alcohol whilst on the premises.
8. Smoking to the front of the premises onto Abbey Street will not be permitted.
9. No more than five persons allowed to smoke outside / to the rear of the premises at any one time.
10. No customers to remain on the premises after the hours that the premises are permitted to remain open to the public.
11. All external doors to be closed with the exception of entry/exit, whilst live

music and recorded music is being played at the premises.

12. Alcohol only to be sold and consumed on the ground floor part of the premises.

In addition to the conditions put forward by the parties, the Sub-Committee attached two further conditions to the operating schedule, these being:

1. Alcohol only to be served in the premises when food is served
2. When a private function is held, the premises licence holder will display a sign to state the premises are closed for a private function.

87. APPLICATION FOR A NEW PREMISES LICENCE, THE MARKET TAVERN, 1-5 MARKET PLACE, LEICESTER, LE1 5GG

The Director of Neighbourhood and Environmental Services submitted a report that required the Sub-Committee to determine an application for a new premises licence, The Market Tavern, 1-5 Market Place, Leicester, LE1 5GG

The Sub-Committee noted that representations had been received which necessitated that the application for a new premises Licence had to be considered by the Sub-Committee.

The applicant Sarah Gillett was present with her licensing agent Mr John Smith. Mr Nigel Rixon and PC Pritchard from Leicestershire Police were present at the meeting. The Licensing Team Manager and The Legal Advisor to the Sub-Committee 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 details of the application. It was noted that a representation had been received from Leicestershire Police on 20 March 2019 relating to the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm.

A representation was received from a Ward Councillor on the 28 February 2019 in relation to the prevention of crime and disorder and the prevention of public nuisance.

Two representations had been received from local residents on the 28 February and 1 March in support of the Ward Councillors representation.

The Police had withdrawn their representation prior to the meeting, it was noted that the other objectors were not in attendance, but their representations were read out.

The applicant Sarah Gillett and her licensing agent were then given the opportunity to respond to the points made and answered questions from the sub-Committee.

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

Prior to the Sub-Committee considering the application, the Legal Advisor to the Sub-Committee advised on the options available to them in making a decision, and relevant policy and statutory guidance that needed to be taken into account when making their decision.

In reaching their decision the Sub-Committee 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 being present.

The Licensing Team Manager, Legal Advisor to the Sub-Committee, Mr Rixon and PC Pritchard from Leicestershire Police, the applicant Sarah Gillett and the licensing agent Mr Smith then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Legal Advisor to the Sub-Committee was recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager, Mr Rixon and PC Pritchard from Leicestershire Police, the applicant Sarah Gillett and the licensing agent Mr Smith then returned to the meeting.

The Chair informed all persons that they had recalled the Legal Advisor to the Sub-Committee for advice on the wording of the decision.

RESOLVED:

That the application for a new premises licence for Market Tavern, 1-5 Market Place, Leicester, LE1 5GG, be GRANTED.

REASON FOR THE DECISION:

Having heard and considered the application and representations received the Sub-Committee decided to grant a New Premises Licence subject to the conditions and amendments put forward by the applicant and Leicestershire Police.

CONDITIONS CONSISTENT WITH THE REPRESENTATION/AGREEMENT WITH LEICESTERSHIRE POLICE

1. The supply of alcohol and hours that the premises will be open to the public will be limited to the following hours:

Sunday to Thursday 10:00 – 01:30 hours.

Friday and Saturday 10:00 – 02:00 hours.

2. Alcohol to be sold and consumed on the premises only.
3. CCTV to be installed and recording whilst the premises is open to the public.
4. CCTV must be retained for a minimum of 28 days
5. CCTV to be accessible in a viewable and recordable format to the police and local authority within 72 hours of being requested.
6. An onsite member of staff must be present who can operate the CCTV recording system whilst the premises is open to the public.
7. A high definition (HD) CCTV camera system to be installed both internally and externally within six months of the licence being granted.
8. CCTV cameras to be located within the premises to cover all the public areas, including entrances and exits.
9. The CCTV system must record clear images permitting the identification of individuals.
10. A “Challenge 25 Policy” to be adopted and enforced in line with the British Beer & Pub Association (BBPA).
11. A minimum of one Security Industry Authority (SIA) member of security to be present on the premises controlling queues, customers and entry / exit during Leicester City Football Club matches involving the men’s, first team, home fixtures, for a minimum of two hours before the scheduled kick off and a minimum of one hour after the conclusion of the match.
12. A minimum of one Security Industry Authority (SIA) member of security to be present on the premises controlling queues, customers and entry / exit during England international football matches involving the men’s first team in World Cup group matches and European Championship group matches and qualifying rounds for a minimum of one hour before the scheduled kick-off and a minimum of 30 minutes after the conclusion of the match.
13. A minimum of two Security Industry Authority (SIA) door supervision / security must be present controlling queues, customers and entry / exit on Friday and Saturday nights as well as Christmas Eve and New Year’s Eve from 22:00 hours until closing time.
14. All Security Industry Authority (SIA) staff to be clearly identifiable and have their SIA badges on display.
15. Where Security Industry Authority (SIA) registered staff are used on the

premises, a record must be kept detailing their details including their full name, SIA registration identification number and duty period date/time.

16. The above condition (condition 15) must be legible and retained for six months.
17. The above conditions (condition 14 & 15) must be made available to the police, local authority and Security Industry authority within a reasonable time of being requested.
18. No person under the age of 18 years of age will be permitted to enter or remain on the premises after 20:00 hours.
19. Clear and legible notices must be prominently displayed at the entrance/exit requesting that customers respect the needs of local residents and leave/use the area quietly.
20. The licence holder will ensure that all external doors and windows are kept closed other than for access and egress.
21. The licence holder will restrict the number of customers permitted to smoke outside the premises in order to prevent an obstruction of the pavement and public nuisance.
22. The licence holder will ensure that customers do not take drinks outside the premises.

88. ANY OTHER URGENT BUSINESS

There being no items of urgent business the meeting closed at 11:30am.