



Leicester
City Council

Minutes of the Meeting of the
LICENSING ENFORCEMENT SUB-COMMITTEE

Held: TUESDAY, 4 OCTOBER 2022 at 9:30 am

P R E S E N T:

Councillor Byrne (Chair)

Councillor Ali

Councillor Whittle

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1. APPOINTMENT OF CHAIR

Councillor Byrne was appointed as Chair for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Westley.

3. DECLARATIONS OF INTEREST

Members were asked to declare any interests they might have in the business to be discussed on the agenda. There were no declarations of interest made

4. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Licensing Enforcement Sub-Committee held on 6 September 2022 be confirmed as a correct record.

**5. DETERMINATION OF CONTINUED ENTITLEMENT TO RETAIN A
HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE**

It was noted that this item would not be considered at the meeting as it had been separately considered by the Head of Service at a meeting on 27 September 2022.

6. APPLICATION FOR THE GRANT OF A HIGHWAYS AMENITIES LICENCE (STREET CAFÉ): GELATO VILLAGE, 107 QUEENS ROAD, LEICESTER, LE2 1TT

The Director of Neighbourhood and Environmental Services submitted a report requiring Members to determine an application for a grant of a Highways Amenities Licence (Street Café) for premises known as Gelato Village, 107 Queens Road, LE2 1TT. The applicant was Daniele Taverna on behalf of the business.

The applicant Daniele Taverna was present, Ian Brown (local resident), Nicola Marsh (Licensing Enforcement Officer), the Licensing Team Manager (Enforcement), the Legal Adviser to the Sub-Committee and a Democratic Support Officer were also present.

The Licensing Team Manager (Enforcement) presented the report. It was noted that 4 objections to the application were received 2 of which had been withdrawn following agreement with the applicant on amendment to his original application.

Mr Brown was given the opportunity to outline details of his objection and that of another representor who was unable to attend the meeting. He answered questions from Members and Officers.

Mr Taverna was given the opportunity to present his case as to why the licence should be granted and answered questions from Members and Officers.

All parties present were 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.

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

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officer to leave the meeting. The Sub-Committee then deliberated in private to consider their 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 Highways Amenities Licence be GRANTED to Daniele Taverna for two tables, eight chairs and enclosing barriers to be placed outside Gelato Village on Queens Road, Leicester in accordance with the Licensed Plan, seven days a week from 8am to 9pm subject to:

1. the Council's standard conditions, and
2. the conditions requested by the Council's Highways Team in so far as they are not already included in, or are inconsistent with, the Council's standard conditions.

The applicant would be provided with the reasons for the decision in writing within five working days.

It was noted there was no right of appeal against the decision.

7. APPLICATION FOR STREET TRADING CONSENT: COBSMACKED, BOSTON ROAD, LEICESTER

The Director of Neighbourhood and Environmental Services submitted a report that required Members to make a determination on an application for Street Trading Consent for Cobsmacked, Boston Road, Leicester.

The applicant Mr John Derry was present, Mrs Hande Korun and Mr Adil Korun (Local traders), the Licensing Team Manager (Enforcement), the Legal Adviser to the Sub-Committee and a Democratic Support Officer were also present.

The Licensing Team Manager (Enforcement) presented the report. It was noted that 7 objections had been received alongside comments from the Highways Team.

Mr and Mrs Korun were given the opportunity to outline their objection and answer questions from Members and Officers.

Mr Derry was given the opportunity to present his case for granting the licence and answered questions from Members and Officers.

All parties present were 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.

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

The Chair then asked all but Members of the Sub-Committee and Democratic Support Officer to leave the meeting. The Sub-Committee then deliberated in private to consider their 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 Street Trading Consent be GRANTED to John Derry to sell breakfast and lunch cobs, homemade soups and stews (healthy option), salads, vegetarian and vegan options, jacket potatoes with healthy fillings and religious dietary requirement options from a stationary van on Boston Road, Leicester on Monday to Saturday from 7am to 2pm, subject to the following conditions:

1. Mr Derry shall only trade at the location detailed on the map.
2. The van shall be placed as detailed on the map in a position where it does not interfere with the turning circles of vehicles accessing the units opposite.
3. Any standard conditions applied by the Licensing Team.
4. The conditions requested by the Council's Highways Team in so far as they are not already included in, or are inconsistent with, any standard conditions applied by the Licensing Team.

The applicant would be provided with the reasons for the decision in writing within five working days.

It was noted there was no right of appeal against the decision.

8. ANY OTHER URGENT BUSINESS

There being no other urgent business, the meeting closed at 12.15pm.