



Leicester
City Council

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

Held: THURSDAY, 27 JULY 2023 at 10:00 am

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Adatia

Councillor Pantling

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1. APPOINTMENT OF CHAIR

Councillor Singh Johal as Chair, led on introductions.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

4. APPLICATION FOR A NEW PREMISES LICENSE FOR PAAN EXPRESS

Councillor Singh Johal, 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 new premises licence for The Paan Express, 32 Barkby Road, Leicester.

The applicant Mr Karsan Modhwadia and the applicant's agent Mr Bhawsar were in attendance. They were accompanied by three individuals who were allowed to observe the hearing but not take part as no representations had been made by them nor had any notice of their attendance been given. Also present, was the Licensing Team Manager (Policy and Applications), the Legal Adviser to the Sub-Committee and the Licensing Enforcement Team Manager to present their representation.

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

The Licensing Enforcement Manager was given the opportunity to outline the details of the representation from the Leicester City Council Enforcement Team and answered questions from Members of the Sub-Committee.

The applicant's agent was given the opportunity to address the Sub-Committee on behalf of their client and answered questions from the 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 Chair then informed the meeting that all but the Democratic Support Officers should withdraw from the room. 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:

Members of the sub-committee considered each of the options available to them and because of the representations made to them, they were content to **GRANT** the application subject to the following conditions:

1. The applicant or anyone employed by him or serving at the premises must prior to the commencement of the licence undertake training on the licensing objectives from an independent accredited provider and provide proof to the Licensing Enforcement Team.
2. The opening hours and supply hours shall be Monday to Sunday 7am to 11pm
3. The conditions jointly put forward by the Applicant and the Licensing enforcement team are approved. The approved conditions are attached.

The reasons for the sub-committee's decision are:

1. Members accepted the representation made by the Licensing Enforcement Team and Members of the public engaged the Licensing objectives but accepted that the opening hours and the agreed conditions would address the concerns raised and promote all four of the Licensing objectives.
2. Members were not satisfied with the answers provided on behalf of the applicant regarding training and believed that the lack of supporting information in the operating schedule and the concerns raised by the Licensing Enforcement could only be addressed by the applicant and anyone working or serving in the premises undertaking training from an independent accredited training provider.

21 days to appeal this decision.

5. ANY OTHER URGENT BUSINESS

