



Leicester
City Council

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

Held: WEDNESDAY, 8 NOVEMBER 2023 at 2:00 pm

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Adatia

Councillor Pantling

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13. APPOINTMENT OF CHAIR

Councillor Singh Johal was appointed as Chair and led on introductions.

14. APOLOGIES FOR ABSENCE

There were no apologies for absence.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**16. APPLICATION FOR A VARIATION TO AN EXISTING PREMISES LICENCE
FOR SOPHY, 8-10 KING STREET, LEICESTER**

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 variation of an existing premises licence for Sophy, 9-10 King Street, Leicester.

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

The Applicant Mr Jai Dillon Kumar was in attendance. Also in attendance was Mr Jefferson Pritchard, Police Constable for Leicestershire Police, Councillor Patrick Kitterick, Castle Ward and Roger Dickinson. Also present was the Chief

Licensing Officer and the Legal Adviser to the Sub-Committee.

A representation was received on 13 September 2023 from an interested party. The representation related to the prevention of crime and disorder and the prevention of public nuisance. The representee was concerned that the variation application, if granted could increase late night disturbance and crime and disorder in the local area.

A second representation was received on 21 September 2023 from a member of the public. The representation related to the prevention of public nuisance. The representee was concerned that they were frequently disturbed by customers leaving Sophy late at night and that this variation would exacerbate that problem.

A third representation was received on 27 September 2023 from Leicestershire Police. The representation related to the prevention of crime and disorder, the prevention of public nuisance, public safety and the protection of children from harm. The representee was concerned that throughout 2022, there were a number of incidents directly related to the premises. A previous variation application was refused in June 2023. The representee mentioned that incidents relating to the premises had since reduced. They had proposed conditions to be attached to the licence, if granted and had reached agreement with the applicant regarding the conditions.

The Licensing Team Manager (Policy and Applications) addressed the Sub-Committee and outlined details of the representation and answered questions from Members.

Mr Jefferson Pritchard, Police Constable for Leicestershire Police, was given the opportunity to outline the details of the representation from the Police and answered questions from Members of the Sub-Committee and Officers.

Councillor Kitterick, Castle Ward was given the opportunity to outline the details of their representation and answered questions from Members of the Sub-Committee.

Mr Dickinson was given the opportunity to outline the details of the representation and answered questions from Members of the Sub-Committee.

The applicant, Mr Jai Dillon Kumar was given the opportunity to address the Sub-Committee and answered questions from the Members and Officers.

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 Members were satisfied that it was appropriate and proportionate considering the licensing objectives to GRANT the application subject to the conditions contained within the representation and as set out in Appendix D of the Committee Report with an amendment to Condition 7 and an additional condition as proposed by the Sub Committee.

Amendment to Condition 7

The licence holder shall ensure no customer(s) will be permitted to enter or re-enter the premises between 5.30am and 7am when the premises is open on Fridays and Saturdays, save for persons who have temporarily left the premises to use the enclosed outdoor smoking area.

Additional condition proposed by the Sub Committee

The licence holder shall ensure that no customer(s) will be permitted to enter or re-enter the premises between 4am and 5am when the premises is open on Wednesdays and Thursdays and on a Sunday before a bank holiday Monday, save for persons who have temporarily left the premises to use the enclosed outdoor smoking area.

REASONS

Members accepted the concerns raised within the representations, however, were of the opinion that following a significant reduction in crime and disorder directly linked to the premises, the imposition of the additional conditions, which were justifiable and proportionate, were sufficient to mitigate concerns raised regarding the premises and prevent further incidents of crime and disorder occurring. Members were also of the opinion that the additional conditions would ensure the Applicant would manage the premises in a manner that will promote and uphold the licensing objectives and in compliance with the requirements of the Licensing Act 2003.

The Sub-Committee's decision was made in the interests of promoting the

licensing objectives.

Any appeal against the decision must be made within 21 days to the Magistrates Court.

17. ANY OTHER URGENT BUSINESS

With there being no further business, the hearing closed at 3.24pm.