



Leicester
City Council

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

Held: WEDNESDAY, 7 AUGUST 2024 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Byrne

Councillor Chauhan

Councillor Cank

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8. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair.

9. APOLOGIES FOR ABSENCE

There were no apologies for absence.

10. DECLARATIONS OF INTEREST

There were no declarations of interest made.

**11. APPLICATION FOR A NEW PREMISES LICENCE FOR ASDA EXPRESS
PFS ST JAMES. HINCKLEY ROAD, LEICESTER.**

Councillor Pickering, as Chair led on introductions and outlined the procedure the hearing would follow.

The Director of Neighbourhood and Environmental Services submitted a report on an application of a new premises licence for Asda Express PFS St James, Hinckley Road, Leicester, LE3 0WB.

Mr Richard Taylor, solicitor representing the applicant, and Ms Lucy Johnson were in attendance. Also present was the Licensing Team Manager (Policy and Applications) and the Legal Adviser to the Sub-Committee.

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

A representation was received on 15 June 2024 from a member of the public. 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 granting the licence will increase street drinking and anti-social behaviour in the area. Staff and children at the nearby school may be exposed to vulnerable people with alcohol issues who gravitate to the premises due to 24 hour access.

A second representation was received on 25 June 2024 from a member of the public. 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 the sale of alcohol at this premises will likely increase anti-social behaviour and noise to local residents. Close proximity to the school may also increase minors to be exposed to alcohol. The premises was also on a busy road which may increase traffic congestion and hazards for pedestrians.

Mr Taylor 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:

That the application for a new premises licence for Asda Express PFS St James, Hinckley Road, Leicester, LE3 0WB be **GRANTED** without modification.

REASONS

1. The committee noted the concerns raised by the members of the public

but were satisfied that the measures which the applicant intended to take would uphold the licensing objectives and thereby minimise the likelihood any issues arising which would impact the local community.

2. Members of the committee were concerned about possible issues arising from the use of a service hatch at night and were given assurances that no public nuisance would arise as result of is use.
3. Members of the committee were satisfied that there was no evidence before them justifying any concerns and were confident that the applicant's spotless record would ensure the promotion of all four licensing objectives.

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

12. ANY OTHER URGENT BUSINESS

With there being no further business, the meeting closed at 10.48am.