



Leicester
City Council

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

Held: TUESDAY, 20 MAY 2025 at 10:00 am

P R E S E N T:

Councillor Pickering (Chair)

Councillor Cank

Councillor Kennedy-Lount

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6. APPOINTMENT OF CHAIR

Councillor Pickering was appointed as Chair.

7. APOLOGIES FOR ABSENCE

There were no apologies for absence.

8. DECLARATIONS OF INTEREST

There were no declarations of interest.

**9. APPLICATION FOR A VARIATION OF AN EXISTING PREMISES LICENCE -
ALINO, 11 NARBOROUGH ROAD, LE3 0LE**

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 for a variation to an existing premises licence for Alino, 11 Narborough Road, LE3 0LE.

The applicant Mr Jean Alain Kakmeni was in attendance. Also in attendance were Elizabeth Arculus, Licensing Enforcement team, Gary Geldard, Noise and Pollution team, and PC Jefferson Pritchard, Leicestershire Police. Also present were the Service Manager (Regulatory Services) and the Legal Adviser to the Sub-Committee.

The Service Manager (Regulatory Services) presented the report and outlined details of the application.

A representation was received on 3 April 2025 from the 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 revellers already under the influence of alcohol would attend the venue in the early hours of the morning to source more alcohol in an area that already faced challenges in relation to crime and disorder and anti-social behaviour.

A second representation was received on 9 April 2025 from the Noise team. The representation related to the prevention of public nuisance. The representee was concerned that allowing the premises to operate such long hours would increase the likelihood of noise complaints and cause disturbance to residents by customers visiting the premises throughout the night and particularly into the early hours of the morning. The Noise team reached agreement with the applicant to add conditions to the licence if granted.

A third representation was received on 15 April 2025 from the Licensing Enforcement team. The representation related to the prevention of crime and disorder, the prevention of public nuisance and public safety. The representee had concerns about the premises and the effects the extended hours may have on the local community, both business and residential. Conditions were proposed to be added to the licence, if granted.

PC Pritchard, Police Constable for Leicestershire Police, was given the opportunity to outline the details of their representation and answered questions from Members.

Mr Geldard, Pollution Control Officer, was given the opportunity to outline the details of the Noise Team representation and answer questions from Members and the applicant.

Ms Arculus, Licensing Officer was given the opportunity to outline the details of their representation and answered questions from Members.

Mr Kakmeni was given the opportunity to address the Sub-Committee and answered questions from the Members and officers. He submitted additional photos regarding the renovation of the premises and the display of the Challenge 25 and quiet notices to the Sub-Committee in the meeting. The late submission was agreed by all parties, and the photos were examined by the Sub-Committee.

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's decision is that it is appropriate for the promotion of the licensing objectives to **REFUSE** the application.

REASONS

The Sub-Committee decided to refuse to grant the application for the variation sought as to do so would not uphold the Licensing Objectives due to:

- The Sub-Committee having no confidence in the applicant's ability to manage the premises and comply with the conditions on the Premises Licence.
- The applicant's willingness to breach the conditions of the Premises Licence and allow unlicensed activities to take place on the premises.
- The applicant's failure to follow advice from Responsible Authorities.
- The applicant's failure to address in his application the specific factors required for a Special Interest area.

The Sub-Committee has no confidence in the applicant's ability to manage the extended hours sought or the extension of licensable activities sought to be added or extended. This is because the applicant admitted to Committee that he struggled to manage 60/70 people at closing time. If the variation was granted, the inability to manage would be compounded as customers drinking until 3am would prove even more challenging for the applicant.

The Committee were also concerned about the applicant's ability to uphold the Licensing Objectives due to his failure to comply with licence conditions and to this end it accepted representations made by Leicestershire police and Licensing Enforcement. The Committee were particularly concerned when the applicant admitted to allowing a birthday event to take place despite a Temporary Event Notice not being accepted due to lateness. This was a serious breach of the Licensing conditions and called into question the applicant's credibility and his ability to uphold the Licensing Objectives.

The Committee were also concerned by the applicant's failure to apply for a variation following refurbishment works carried out at the premises which were

not covered under the current licence.

The Sub-Committee also accepted that the Licensing Objective relating to the Prevention of Crime and Disorder was engaged due to the 11 incidents occurring at the premises and due to the applicant's previous conviction and concluded that granting the variation would undermine the objective.

The Sub-Committee was concerned that the applicant had submitted a written application which the police had correctly referred to as vague. In detailing Narborough Road as one of Special Interest in its Statement of Licensing Policy 2022–2027, the Council lists relevant environmental factors which an applicant should have in mind for consultation with the appropriate responsible authorities. These are: Number of existing licensed premises; Types of licensed premises; Density and locality of residential premises; Traffic or pedestrianised areas; Alcohol related Public Health concerns; Areas of alcohol related crime and disorder; Anti-social behaviour including community protection & Noise pollution. The applicant failed to address these issues in the written application or at the hearing.

It is clear that all of the licensing objectives are engaged and the grant of the application would undermine the promotion of those objectives.

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

10. ANY OTHER URGENT BUSINESS

With there being no further business, the meeting closed at 11:54am.