

MINUTES of a meeting of the LICENSING SUB COMMITTEE held in the Abbey Room, Stenson House, London Road, Coalville, LE67 3FN on TUESDAY, 21 NOVEMBER 2023

Present: Councillors J Legrys, G Rogers and J G Simmons

Officers: Ms K Woollett, Mr P Dennis, Ms C Smith and Mrs R Wallace

Interested Parties: Councillor D Bigby

1 ELECTION OF CHAIRMAN

By affirmation of the meeting, it was

RESOLVED THAT:

Councillor J Legrys take the chair for the remainder of the meeting.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

3 DECLARATION OF INTERESTS

Councillor J Legrys declared that he knew Councillor D Bigby in a professional capacity from his work as a councillor.

4 XXX BUNS - APPLICATION FOR A NEW PREMISE LICENCE

The Chairman introduced the parties in attendance and outlined the procedure to be followed. It was agreed that the maximum presentation time would be ten minutes.

The Licencing Enforcement Officer presented his report. He detailed how the Applicant had agreed to certain conditions of licence. He situated these within the Council's Statement of Licencing Objectives which he set out for the panel. He advised the panel that the formal conditions to hold the hearing had been met, and also informed the panel of the one representation which had been received, from Ashby Town Council. He advised the committee on the powers available to them and the right to recourse which the Applicant had open to him if felt necessary and desired.

In response to a couple of queries from Members, the Licencing Enforcement Officer advised the panel that the venue was already open but without a licence.

The Applicant spoke. He told the panel that he regarded the licencing objectives as something which he had a responsibility to uphold to the required standards and there was no reason why he would not do so.

A discussion was had between Members and the Applicant about various questions around access, and some concerns about disabled access. The Applicant expressed a willingness to consider the points that Members had made and be extra-attentive where necessary. He would also happily accept any further conditions of licence which the panel wished to add around the issue of access. He did note, however, that so far he had had few issues with access and that he rented the premise so some modifications were outside of his control.

In response to a question from a Member, the Applicant clarified that he intended to remain primarily an eating establishment, but one which served some alcohol with meals if the licence was granted.

Chairman's initials

Councillor D Bigby presented a representation on behalf of Ashby Town Council. He advised the panel that the additional papers circulated showed sharply increasing crime rates, particularly around drug abuse, public-order offences, anti-social behaviour, and burglary offences. This is the context in which the representation had been made. Given this context, it had previously been stated in the District Council's Cumulative Impact Policy that granting further premise licences in Ashby Town Centre would be inconsistent with licencing objectives. He noted that nevertheless Ashby Town Council had not simply objected to all new licences. He also had concerns around this particular application with access, a nearby gym being frequently populated with children, and nuisance to residents from noise pollution. In conclusion, the location in the centre of the Cumulative Impact Zone meant it was likely to contribute to preexisting issues. He also requested some additional conditions if, contrary to his wishes, the licence was granted.

The Applicant disputed a couple of Councillor Bigby's claims. He said no residents had indicated to him any concerns with noise; he also advised that he was in regular contact with the owner of the nearby gym and Councillor Bigby was slightly incorrect with regards when children's gym classes occurred. Councillor Bigby accepted that he had got one of the details of the children's gym classes wrong, specifically the times on Saturdays.

The Legal Advisor clarified that one of the conditions councillor Bigby had requested was not within the power of the sub-Committee to impose.

A Member asked how long the Applicant had been operating the business as a food premise and the Applicant advised that he had been at the location for about five years but had recently rebranded.

All parties declined a closing speech.

The panel adjourned for deliberation at 11:18.

The panel reconvened at 12:55.

The Legal Advisor read out the decision notice, detailing how the panel had come to their decision and the statutory frameworks considered. The sub-committee were of the opinion that the establishment would primarily serve as a dining establishment and thus would not add to the cumulative impact assessment. The panel particularly stressed that they had not received representations from any authorities tasked with responsibility for public safety or the prevention of crime or antisocial behaviour.

RESOLVED THAT:

The licence be granted subject to the following:

1. The conditions set out in the operating schedule.
2. The conditions proposed by the Applicant in the Applicant's response to the interested party's representation (rationalised by licensing officers to remove any duplicates or discrepancies – taking the stricter condition).
3. The mandatory conditions.
4. The following additional conditions:
 - 4.1. Enhanced lighting to be installed over any steps providing pedestrian access to the premises.

Chairman's initials

4.2. Signs warning customers of the steps and also that they may be slippery when wet are to be displayed in prominent locations.

4.3. Non-slip, high visibility or hazard, strips to be placed on all steps.

5. Modification to the door supervisor conditions proposed in the Applicant' s response to the Interested Pary's representation as follows:

Accredited and certified door supervisors will be used, for the purpose of ensuring safe conduct within and off the premises as well as ensuring safe ingress and egress to the premises, between the hours of 7:30pm and midnight (or close of the premises if earlier) on Thursdays, Fridays, Saturdays and Sundays.

The meeting commenced at 10.30 am

The Chairman closed the meeting at 1.04 pm