

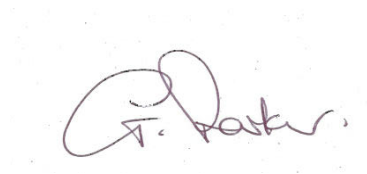


LICENSING SUB-COMMITTEE

To: Councillors Pacey, Lowe and Tillotson
(Reserve Member - Councillor Savage)
(For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Licensing Sub-committee to be held in Preston Room - Woodgate Chambers on Monday, 24th September 2018 at 10.00 am for the following business.



Chief Executive

Southfields
Loughborough

6th September 2018

AGENDA SUPPLEMENT

3. SAFFRON IVY LTD, 1120 MELTON ROAD, SYSTON - 2 - 5
APPLICATION FOR A PREMISE LICENCE

To consider an application for a new premise licence (Saffron Ivy Ltd, 1120 Melton Road, Syston), to which representations from residents have been received.

Papers in respect of the matter are attached for the Sub-committee's consideration.



Licensing Sub-committee
Southfield Road, Loughborough
Leicester
LE11 2TX

Saffron Ivy Ltd
1120 Melton Road
Syston, Leicester
LE7 2HA

12th September 2018

Dear Sirs/Madams

We appreciate your notice of hearing in relation to our application for premises license at 1120 Melton Road, Leicester.

Having considered the objections of the representations, we believe a hearing is necessary for us to address our point of view on these matters. Therefore, we would like to attend the hearing on Monday 24th September with the Licensing sub-committee.

As required, may I inform the committee of our intention to bring with us, our landlord Mr. Hitesh Pujara, for assistance.



Could I take this opportunity to address the concerns of the representations, if these need to be included in the Sub-committee papers.

1. In relation to M. Orsini - 'level of noise' & G. Wright - 'intrusive' music:

I would like to assure Mr. Orsini that the dining area that adjoins his shop are sound blocked with blue boarding – as are all walls in the dining area - to alleviate any minor noises as a result of fine dine environment. Mr. Orsini, who does not live at his operating proportion of the neighboring ground space, would not be present during these times as his shop closes at 5.30pm. As our intended dinner opening time – where background music would be played - to the public is 5.30pm onwards, we believe Mr. Orsini should not be worried. Further, the main noise at our property would only be from soft, cultural/entertaining background music which is standard at most dining establishments and should not be able to be heard through the sound blocked walls.

2. In relation to M. Orsini - 'people leaving late at night', the 'unreasonable' timings and G. Wright - 'concerned about long hours':

Further to the concern of customers exiting at night, we strongly believe it is unreasonable as other establishments at close proximity e.g. The Red Rose, Spice of India and New Happy Garden, who have similar closing times of 11pm and midnight. Our timings are in line with our granted planning application allowing our customers access between 8am to 11pm on weekdays, till 12am Saturdays and 10pm on Sundays.

3. In relation to G. Wright - 'The food and the resulting smell/odour'

Whilst we understand that any type of restaurant will emit odours, we'd like to assure that precautions have been taken with advice of Environmental Health relating to the use of the kitchen and emitting odours for example, odour control carbon filter as part of the extraction system. Our odour precautions are in line with recommendations and guidelines by the authority and granted under our A3 planning application P/17/2254/2.



To the sub-committee,

Could it be noted that we have had several running issues with Mr. Orsini and his tenants. On many occasions, we have tried to resolve the issues between us for example by arranging face to face meetings and even after giving him many assurances to his issues, he has continuously made unfounded and unreasonable complaints at every stage to various authorities even though the restaurant has not yet opened. Whilst he accepts our reasoning in person and says he feels assured, he then still raises the same issues causing us many delays.

We believe the premises license we are applying for with regards to serving alcohol, the timings and music are in line with our neighboring competitors such as The Red Rose, Spice of India, New Happy Garden and Roberto's Pizza. Therefore, if the license was not to be granted as requested, our business would most definitely be at an unfair disadvantage.

In relation to the issues on odours, we believe this is not a licensing issue as it has already been dealt with Environmental Health. The opening of our establishment would not cause any significant changes in neighboring odour as other food establishments operate very closely nearby.

Throughout our time trying to establish the business, due to the attitudes and behavior of Mr. Orsini and his downstairs tenant Mr. Ashley, we feel we are being discriminated especially by false statements such as them complaining to Health & Safety of our builders on site. From the moment we acquired the lease to the property, Mr. Orsini's tenant has had a problem with our presence as well as harassing us which we raised to Mr. Orsini himself many times.

We have always acted in a friendly and appropriate manner with all of our neighbors including our own tenants living above our establishment as we understand any new restaurant and building works are due to cause reasonable concerns. At all stages we have asked if they have any issues and none have come forward, other than from Mr. Orsini and his tenant Mr. Ashley and Gene Wright who have tried to delay our works due to several complaints of the same nature to various departments even after providing assurances.



We strongly hope the committee take our view and assurances into consideration and help alleviate the discriminations caused by said party to allow us to offer our services to the public to our best ability. Furthermore, the inclusion of live music on special occasions and soft background music will encourage broader entertainment and bring cultural benefits to the community which the council should appreciate as under Section 17 of the Statement of Licensing Policy.

Thank you for your consideration.

Kind Regards,

Dhaval Mandalia

On behalf of Saffron Ivy Ltd