



Charnwood

LICENSING SUB COMMITTEE

Members Record of Decision
SAFFRON IVY LTD 1120 MELTON ROAD,
SYSTON APPLICATION FOR A PREMISES
LICENCE

Hearing: 24th September 2018

Constitution of the Panel:

CHAIRMAN: COUNCILLOR PACEY

Other Panel Members: COUNCILLOR LOWE & COUNCILLOR TILLOTSON

Clerk:

Licensing Manager Present: GRACE DOWSON

Parties Present:

For Premises

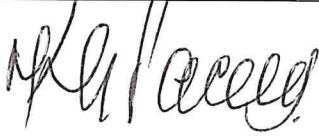
Licence Holder: REPRESENTATIVES ON BEHALF OF SAFFRON IVY LTD MR
DHAVAL, MISS KAMINIBEN MANDALIA AND LANDLORD MR
PURJARA

For the Interested Parties: MR & MRS MISSO & GENE WRIGHT

For Responsible

Authority: NONE

CHARNWOOD BOROUGH COUNCIL Page 1 of [4]

Signature:	
Chairman:	COUNCILLOR PACEY
	1 OCTOBER 2018

Decision on the Application

In reaching its decision, the Sub-Committee has taken into consideration all relevant written and oral representations and submissions made. The Sub-Committee has had particular regard to the Licensing Objectives, in particular to the prevention of public nuisance and crime and disorder, the Council's Statement of Licensing Policy and section 182 government guidance.

FINDINGS OF FACT

The Applicant and his representatives provided reassurances that they were fully committed to ensuring they adhered to the licensing objectives at all times. That they would:

- Ensure they complied with all mandatory licensing conditions
- Actively managing noise level, by bins and rubbish being collected at reasonable hours to minimise disturbance.
- Sound proof the dining area walls to minimise noise concerns.
-

However, they felt that the objectors concerns about customers leaving late were unreasonable as the premises proposed opening hours are in line with other licensed premises surrounding them. Also that this premises was a fine dining restaurant where customers would be able to enjoy a drink with a meal and was not going to be run like a pub.

Representations made by the two objectors.

- Mireille Orsini Misso and her husband– who are landlords of the property 1118 Melton Rd – and run a business/shop next door to the premises. That they were concerned that the premises is below and near to peoples living accommodations and noise levels and people living late at night would interfere with their enjoyment of their homes.
- Gene Wright – tenant of 1120 Melton Road – situated next door to the proposed restaurant. Raised concerns predominantly about the noise levels being intrusive, that playing recorded music or live music could impact his enjoyment of his home.

Both objectors at the end of their submissions however confirmed that they were not objecting to the licence being granted but wanted to ensure the opening hours were reasonable.

THE SUB-COMMITTEE'S DECISION

The Sub-Committee are satisfied by a MAJORITY decision that the Application should be GRANTED as applied for.

- E. Live music (indoors)**
Monday to Friday 11:00 to 23:00
Saturday: 11:00 to 00:00
Sunday 11:00 to 22:00
- F. Recorded Music (indoors)**
Monday to Friday 11:00 to 23:00
Saturday: 11:00 to 00:00
Sunday 11:00 to 22:00
- G. Performance of Dance (indoors)**
Monday to Friday 11:00 to 23:00
Saturday: 11:00 to 00:00
Sunday 11:00 to 22:00
- I. Late Night Refreshment (indoors)**
Monday to Friday 11:00 to 23:00
Saturday: 11:00 to 00:00
Sunday 11:00 to 22:00
- J. Supply of alcohol (on the premises)**
Monday to Friday: 11:00 to 23:00
Saturday: 11:00 to 00:00
Sunday: 11:00 to 22:00
- L. Hours premises are open to the public**
Monday to Friday 08:00 to 23:30
Saturday: 08:00 to 00:30
Sunday 08:00 to 22:30

SEASONAL VARIATIONS FOR ALL THE ABOVE ACTIVITIES TO CONTINUE UNTIL MIDNIGHT ON THE FOLLOWING DAY'S

CHRISTMAS EVE: 00:00
BANK HOLIDAYS: 00:00
NEW YEAR'S EVE: 00:00

REASONS FOR THE DECISION

In reaching this decision the Sub-Committee had particular regard to the following:

- The reassurances provided by the Applicant representatives that the Applicant had a good understanding of the licensing objectives and the need to exercise strict compliance with the mandatory conditions on the licence.
- The Applicant has taken extra measures in having the walls to the dining room sound proofed to address the concerns relating to noise raised by the objectors.
- That the objectors were no longer objecting to the application being Granted after hearing the Applicants representation at the hearing, but instead that they wished the Applicants well with the business. However, they wanted to ensure the hours would be reasonable to reduce noise concerns and public nuisance issues arising


- There were no other relevant authority e.g the police or environmental health raising any objections about concerns relating to noise or opening hours, nor any other residents.

In light of these reasons the Sub-Committee were satisfied that the Application should be Granted as applied for.

RIGHT OF APPEAL

There is a right to appeal to the Magistrates Court within 21 days from the date on which the party is notified of the determination of the decision of the Sub-Committee Panel.

CHARNWOOD BOROUGH COUNCIL Page 4 of [4]

Signature:		
Chairman:	COUNCILLOR PACEY	
Date of Decision	1 OCTOBER	2018

Rider:

Failure to comply with any of the conditions of the premises licence is a criminal offence, which can result in a sentence of up to 6 months imprisonment and/or a £20,000 fine.