



**Charnwood**

**Members Record of Decision**  
Moza's Pub and Restaurant 24-25 Bedford Street  
Loughborough Leicestershire LE11 2DS

LICENSING SUB COMMITTEE

Hearing: 6 November 2018

**Constitution of the Panel:**

**CHAIRMAN:** CLLR KEN PACEY

**Other Panel Members:** Cllr John Savage, Cllr Capleton

**Clerk:** Sarah Khawaja

**Licensing Manager Present:** Alan Twells

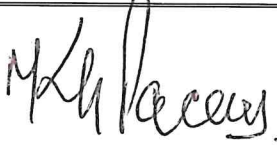
**Parties Present:**

**For Premises**

**Licence Holder:** Mozammel Hussain

**For Responsible:** Nigel Rixon & PC Mike Green – Leicestershire Police

**Authority:** Andy McParland – Charnwood Borough Council (noise)

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|---------------------------|---|
| <b>Signature:</b>         |  |
| <b>Chairman:</b>          | Cllr Ken Pacey  |
| 15 <sup>th</sup> Nov 2018 |   |

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## **Decision on the Application**

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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 crime prevention, public nuisance, public safety and the protection of children from harm.

### **CONDITIONS**

#### **By agreement with the police**

1. No alcohol will be sold without a table meal in the restaurant area.
2. No vertical drinking in the restaurant area.

In addition, the Police raised concerns about a proposal in the operating schedule that alcohol would only be sold in sealed bottles. The Legal Advisor advised that this was something which was more appropriate for an off licence and that it could be removed. Mr Hussain agreed.

The Police also queried why Angela Jackson was the proposed DPS when she is also responsible for licensed premises in Leicester and the applicant is a personal licence holder. The applicant stated that it was due to Ms Jackson's extensive experience but he had no objection to becoming the DPS for the premises.

#### **By agreement with the Environmental Health**

3. All doors and windows will remain closed during any live performances.
4. Apart from emergency egress, external doors to the restaurant area must remain closed and taken out of use each day from 23:30 hours.
5. No live or recorded music shall be played outside or relayed via speakers externally.

There was some discussion about the terminal hour. The applicant stated that all activities save for playing recorded music would cease at 23:00hrs and recorded music at 23:30hrs with the terminal hour being 00:00. There was some discussion about why the applicant needed the premises to remain open for an hour after all activities had stopped. The applicant explained that was so that people could be given time to finish up and leave so that they are less likely to be angry about the premises closing. Other parties were not in favour of the terminal hour being this late so members would need to decide when reaching their overall decision.

6. Premises Licence Holder will provide bins for the use of patrons leaving the premises.
7. Premises Licence Holder will display a sign on the premises reminding patrons to place any rubbish in the bins provided.

8. A challenge 21 scheme shall operate at the premises.
9. The standard CCTV condition.
10. The Premises Licence Holder will have a minimum of 1 SIA registered door staff on each door on Fridays and Saturdays from 7pm until midnight. The door staff will be equipped with private personal radios.
11. The maximum permitted number(s) of persons allowed is/are as follows:  
Restaurant: 70  
Bar area: 75

The Applicant had offered the following conditions in addition to those above to allay the concerns of those making objections to the application:

12. The PLH will implement a crowd dispersal policy.
13. The PLH and/or his/her staff will undertake regular patrols of the external area to disperse any crowds associated with the premises and record such patrols in a book.

#### **DECISION AND REASONS**

Members are mindful that this is an application for a for a Premises Licence within a Cumulative Impact Zone, which means that in accordance with Charnwood Borough Council's Licensing Policy, the applicant has to rebut the presumption that granting this licence will add to the crime and disorder in the area.

Members are satisfied that the applicant has done this as they consider that he has been reasonable, accepted all of the proposed amendments and they do not believe that they could ask for any more.

The Premises Licence will be granted subject to the agreed conditions set out above and the following:


1. The terminal hour will be 12am
  - (a) Live Music (**indoors**) Bar area only  
Monday to Sunday 09.00 to 23.00
  - (b) Recorded Music (**indoors**) Bar and Restaurant area  
Monday to Sunday 09.00 to 23.30
  - (c) Performances of Dance (**indoors**) Bar area only  
Monday to Sunday 09.00 to 23.00
  - (d) Late Night Refreshment – **no longer required**  
Monday to Sunday until 23.00
  - (e) Supply of alcohol (**On the premises**) Bar area only  
Monday to Sunday 09.00 to 23.00

- (f) Hours premises are open to the public  
Monday to Sunday 09.00 to 00:00

2. Mr Hussain will apply to become the Designated Premises Supervisor within 28 days

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

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|-------------------------|---|
| <b>Signature:</b>       |  |
| <b>Chairman:</b>        | [INSERT NAME OF CHAIRMAN]   |
| <b>Date of Decision</b> | 15 / NOV   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.