

Public Document Pack

LICENSING SUB COMMITTEE

MONDAY 2 APRIL 2012

LATE ITEM – OBJECTION TO AN APPLICATION FOR A TEMPORARY EVENT NOTICE
– SAVANNAH CLUB, HUNSLET

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Report author: Mr Shaam Amin
0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 2nd April 2012

Subject: Temporary event notice for Savannah Club, Grove Road, Hunslet, Leeds, LS10 2QT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Hunslet	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

This report advises Members that a temporary event notice has been received and the West Yorkshire Police have served an objection notice on the grounds of crime and disorder.

Members of the Licensing Sub Committee are asked to consider the temporary event notice and the objection notice.

1.0 Purpose of this Report

- 1.1 To advise Members of a temporary event notice served under section 100 of the Licensing Act 2003 ("the Act") in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of an objection notice from West Yorkshire Police.

2.0 History of Premises

- 2.1 The Savannah Club formerly known as George IV has held a premises licence since 2005. An application to vary the premises licence to increase the hours of operation was considered and refused by the Licensing Sub Committee on the 9th January 2012.
- 2.2 Since July 2011 the premises has held 11 temporary event notices.
- 2.3 There is currently a licensing enforcement complaint ongoing in respect of the operating hours and noise nuisance.

3.0 The Application

- 3.1 The proposed premises user is Mr Joe Njuguna.
- 3.2 The location of the premises can be seen on the maps at Appendix A.
- 3.3 A copy of the temporary event notice is attached at Appendix B.
- 3.4 In summary the temporary event notice is for

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment

Saturday 07th April 2012 – 01:00 – 04:00
Sunday 08th April 2012 – 01:00 – 04:00
Monday 09th April 2012 – 01:00 – 04:00

Maximum capacity of the event: 250

4.0 Other matters relevant to the application

- 4.1 The temporary event notice describes the nature of the event to be Easter festivals get together, no further information has been provided.
- 4.2 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.
- 4.3 Members of the Licensing Sub Committee must make decision with a view to the prevention of crime and disorder.

5.0 Representations

- 5.1 West Yorkshire Police have received a copy of the notice. They consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the prevention of crime and disorder and have issued an objection notice.
- 5.2 A copy of West Yorkshire Police's objection is attached at Appendix C of this report.

6.0 Options Available to Members

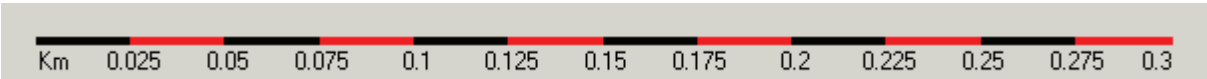
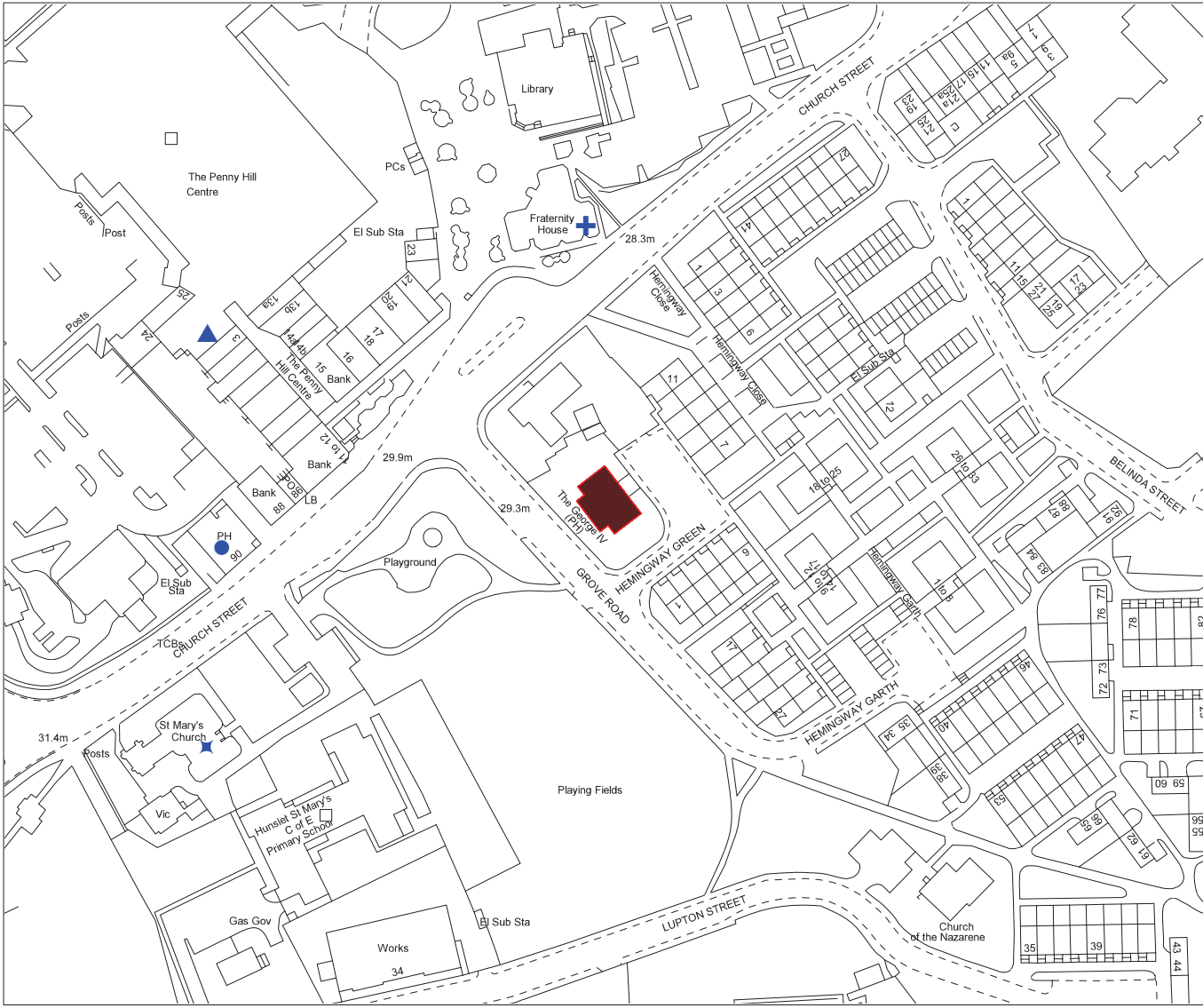
- 6.1 The Licensing sub-committee must take such of the following steps as it considers necessary:
- Issue a counter notice against the event in order to prevent the event from taking place.
 - Allow the event to take place
- 6.2 Members of the licensing sub committee are asked to note that they may not restrict or attach conditions to the temporary event notice.

7.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties

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TEN/01084/12 - Savannah Club
Grove Road, Hunslet, Leeds, LS10 2QT



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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Date:	22 March 2012
Scale:	1:2000

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Leeds
CITY COUNCIL

Licensing and Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

Contact: Mr Shaam Amin
Tel: 0113 247 4095
Fax: 0113 2243885
Email: entertainment.licensing@leeds.gov.uk
Our Ref: A80/TEN/01084/12

20th March 2012

Mr Joe Njuguna
Savannah Club
Grove Road
Hunslet
Leeds
LS10 2QT

Dear Mr Njuguna

TEMPORARY EVENT NOTICE: TEN/01084/12

NAME OF PREMISES USER: MR JOE NJUGUNA

EVENT PREMISES: SAVANNAH CLUB, GROVE ROAD, HUNSLET, LEEDS, LS10 2QT

I acknowledge receipt of your Temporary Event Notice in duplicate together with payment of **£21.00**.

Please find attached our receipt numbered **013745** in respect of the said payment and the acknowledged copy Temporary Event Notice.

IMPORTANT – Your duties regarding the display of the Temporary Event Notice

The Licensing Act 2003 requires that you do either of the following:

- Display the Temporary Event Notice for the duration of the event; or
- Display a Notice stating that a Temporary Event Notice is in force.

Please find enclosed a "TEN Summary" document (printed on green paper) which, if displayed, will satisfy the above criteria.

Please note the Licensing Act 2003 imposes two duties on you:

1. The Licensing Act 2003 states that there is a duty to keep the Temporary Event Notice. "When the notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises".
2. The legislation also requires you to produce the notice when asked to do so by either an officer from Leeds City Council or a Police Officer exercising the power of production. You can ask the Police Officer to prove they are acting under the correct authority. Please refer to the attached general guidance notes for more information.



Please note Section 104 (1) of the Licensing Act 2003 states that you as the "premises user", must also give a copy of the Temporary Event Notice to the relevant Chief Officer of Police no later than ten working days before the day on which the event period specified in the notice begins.

If you have not given the Police a copy of your notice, please do so now. The Police will make a decision about the proposed event based on the information contained in the notice

Please serve a copy of the Temporary Event Notice on Robert Patterson
Licensing Officer
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

If you do not serve the Police with a copy of the Notice this will make your Temporary Event Notice invalid.

If you carry on this event without a valid Temporary Event Notice in place, you will be committing a serious offence under the Licensing Act 2003.

Important Note

The premises user should note that although they are operating licensable activities under the authorisation of the Temporary Event Notice, they are recommended to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.


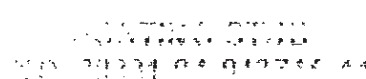
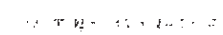
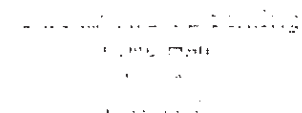
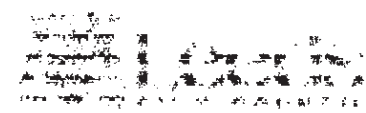
There may also be planning conditions on the premises which restricts certain activities or prevents the premises being used beyond a certain hour. Additional permission may also be required to install any temporary structures or special effects at the premises.

Should you require any further information, please do not hesitate to contact the Licensing Office on the above number.

Yours sincerely



Mr Shaam Amin
Administrative Assistant
Entertainment Licensing Section





TEN APP / 02/05

TEN

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

Temporary Event Notice

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user <i>Please read note 1</i>			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	NJUGUNA		
Forenames	JOE		
2. Previous names: (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary).			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day 17	Month 07	Year 1964
4. Your place of birth	KENYA		
5. National Insurance Number	PX 46 63 64 A		
6. Your current address: (We will use this address to correspond with you unless you complete the separate correspondence box below).			
JOE NJUGUNA SAVANNAH CWB GROVE RD, HUNOLET, LS10 2QT			
Post town	LEEDS	Post code	
7. Other contact details			
Telephone numbers:			
Daytime			
Evening (optional)			
Mobile (optional)	0777 1802818		
FAX NUMBER (optional)			
E-Mail Address (optional)			

8. Alternative address for correspondence (if you complete the detail below, we will use this address to correspond with you)

Post town

Post code

9. Alternative contact details (if applicable)

Telephone numbers:

Daytime

Evening (optional)

Mobile (optional)

FAX NUMBER (optional)

E-Mail Address (optional)

2. The premises

Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references).
Please read note 2

SAVANNAH - FORMER (GEORGE IV)
GROVE RD
HUNSLY
LEEDS
LS10 2QT

If you intend to use only part of the premises at this address or intend restricting the area to which this notice applies, please give a description and details below. *Please read note 3*

Please describe the nature of the premises below. *Please read note 4*

PUB

Please describe the nature of the event below. *Please read note 5*

EASTER FESTIVAL GET TOGETHER

SCANNED

3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on). <i>Please read note 6</i>	
The sale by retail of alcohol	✓
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	✓
The provision of regulated entertainment	✓
The provision of late night refreshment	✓
Please state the dates on which you intend to use these premises for licensable activities. <i>Please read note 7</i>	
<p>SATURDAY 07/04/2012</p> <p>SUN 08/04/2012</p> <p>MONDAY 09/04/2012</p>	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). <i>Please read note 8</i>	
<p>01:00 — 04:00 EACH</p>	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organizers or performers. <i>Please read note 9</i>	<p>MAX 250</p>
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). <i>Please read note 10</i>	On the premises only ✓
	Off the premises only
	Both

4. Personal licence holders <i>Please read note 11</i>	
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	SWINDON BOROUGH COUNCIL (WILLS)
Licence number	881100455 PERSON
Date of issue	16 th DECEMBER 2010
Date of expiry	15 th DECEMBER 2020
Any further details	

5. Previous temporary event notices you have given <i>Please read note 12</i>		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No

6. Associates and business colleagues <i>Please read note 13</i>		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No
If answering yes, please state the total number of temporary event notices your business colleague(s) has given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after; the event period proposed in this notice? (Please mark an "X" in the box that applies to you)	Yes	<input checked="" type="radio"/> No

7. Checklist <i>Please read note 14</i>	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located;	X
Send a copy of this notice to the chief officer of police for the area in which the premises are located;	X
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority;	X
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police;	X
Make or enclose payment of the fee for the application	X
Sign the declaration in Section 9 below	X

8. Condition *Please read note 15*


It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations *Please read note 16*

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale, and;
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months, or to both.

SIGNATURE 


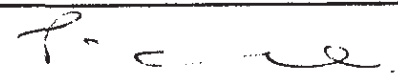
DATE **16/03/2012**

Name of Person signing **JOE NJUGUNA**

For completion by the Licensing Authority

10. Acknowledgement *Please read note 17*

I acknowledge receipt of this temporary event notice.

SIGNATURE  

On behalf of the Licensing Authority

DATE **16/03/2012** **20/03/12**

Name of officer signing **PHUOMEVA EAWILUE**

NOTES

General

In general, only the police may intervene on crime prevention grounds to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority may intervene of its own volition by issuing a counter notice if the first, second and fourth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person (the "premises user") may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (96 hours);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (15 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 13 below explains the definition of an "associate".

When permitted temporary activities take place, a premises user must either ensure that:

- a copy of the temporary event notice endorsed as acknowledged by the licensing authority by the licensing is prominently displayed at the premises; or that
- the temporary event notice endorsed as acknowledged by the licensing authority is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be prominently displayed at the premises.

Where neither the temporary event notice nor a notice specifying the nominated person are displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine up to level 5 on the standard scale, currently £5,000).

**Temporary Event Notice
Summary**

Licensing Act 2003



TEN/01084/12

A Temporary Event Notice has been served and is in force for the following premises:

**Savannah Club
Grove Road
Hunslet
Leeds
LS10 2QT**

This Temporary Event Notice authorises the following Licensable Activities, over the period specified below:

**Provision of Late Night Refreshment
Provision of Regulated Entertainment
Sale by Retail of Alcohol
Supply of Alcohol**

**01:00 – 04:00 on the 7th April 2012
01:00 – 04:00 on the 8th April 2012
01:00 – 04:00 on the 9th April 2012**

Event Capacity (including staff):

250 people, on the premises only

Mr Joe Njuguna is the Premises User.

Office Stamp:

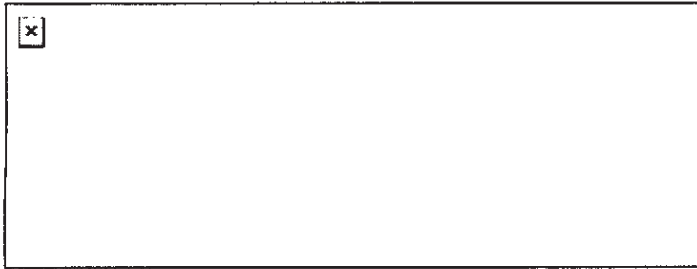


Signed: Philomena Carville
Date: 20 March 2012
Officer: Philomena Carville
Capacity: Principal Licensing Officer

This summary document is provided for the purpose of display whilst the temporary event is in progress.

The official endorsed Temporary Event Notice must be kept available for inspection in accordance with the provisions of the Licensing Act 2003.

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NOT PROTECTIVELY MARKED**Leeds District Licensing Department****Licensing Department**

Millgarth Police Station
 Millgarth Street
 Leeds
 LS2 7HX

Tel: 0113-2413072

Fax: 0113-2413123

Email:

catherine.arkle@westyorkshire.pnn.police.uk

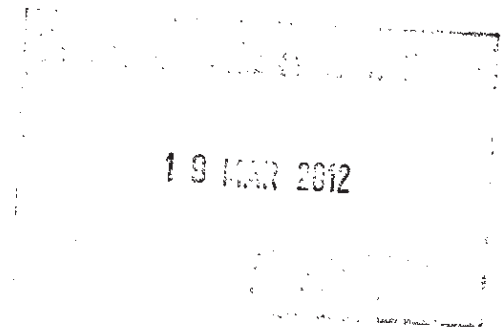
Website:

Your ref:

Our ref:

19th March 2012

Mr. Joe Njuguna – Premises User
 The Savannah Club
 Grove Road
 Hunslet
 LS10 2QT



cc. Entertainment Licensing Section. Leeds City Council, Civic Hall, Leeds. LS1 1UR

NOTICE OF OBJECTION – TEMPORARY EVENT NOTICE
SECTION 104(2) – PART 5 - LICENSING ACT 2003

PREMISES: SAVANNAH CLUB, GROVE ROAD, HUNSLET, LEEDS, LS10 2QT

Your copy notice was received by the police at the above address on 16th March 2012.

The notice relates to licensable activities for the period 07/04/2012 to 09/04/12 between 01:00-04:00 for each of the three days indicated on the notice.

I PC Cath Arkle, Licensing Officer for the City & Holbeck Division of West Yorkshire Police, hereby give you notice that I object to your temporary event notice.

West Yorkshire Police are satisfied that allowing the premises to be used in accordance with the notice would undermine the crime prevention objective.

West Yorkshire Police are so satisfied for the following reasons:-

- The notice relates to premises which are situated in a residential area of Leeds and we have recently been made aware of local residents' concerns over the issue of noise emanating from the premises and the type of clientele it is currently attracting. This is not the first time that such concerns have been expressed.
- Complaints have also been made that the permitted hours on the Premises Licence are constantly being exceeded and offences are therefore being committed. Again this is not the first

NOT PROTECTIVELY MARKED

NOT PROTECTIVELY MARKED

time, and a letter has been sent to the Premises Licence Holder, 14th March 2012, indicating that we expect this to be addressed or they may face enforcement action against the licence.

- There has been a hearing in front of the Licensing Sub-Committee on 9th January 2012 to consider an application for extra hours. This was refused. It is stated in the Notice of Determination, dated 23rd January 2012, that the Sub-Committee felt that to extend the hours of the licence would be contrary to the licensing objectives on the basis of crime and disorder and protection of children from harm. This decision was reached after hearing from the police and the Environmental Health Service.
- There is a specific condition on the licence that no under 18s are to be admitted. Mr.Njuguna openly admitted at the hearing allowing children into his venue. The police had had specific intelligence that a named 14 year old and a named 16 year old frequented the premises. The 16 year old had stated that he was allowed to drink alcohol on the premises, and there were concerns for the 14 year old and who he may have been coming into contact with on the premises.
- Mr.Njuguna, the named DPS for the premises, had told the Licensing Department that the local police were happy for the children to frequent his premises and play pool/snooker there. This was not and is not the case.

With a view to upholding the Crime Prevention Objective West Yorkshire Police would ask any presiding sub-committee to refuse this Temporary Event Notice. I enclose a copy of the recent letter referred to, the Licensing Authority's 'Letter of Determination' and sanitised police reports.

***PC Cath Arkle
Divisional Licensing Officer
City & Holbeck***

NOT PROTECTIVELY MARKED

Richardson, Adele

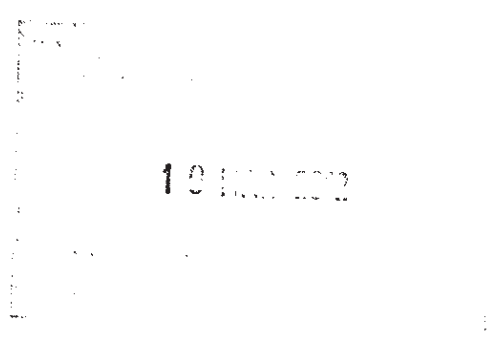
From: Arkle, Catherine [catherine.arkle@westyorkshire.pnn.police.uk]
Sent: 19 March 2012 15:41
To: Entertainment Licensing
Cc: robert.fullilove@westyorkshire.pnn.police.uk; Patterson, Bob; Aldred, Jonathan; Akerman, Paul; Rodgers, Andrew
Subject: TEN Objection 0- Savannah Club [NOT PROTECTIVELY MARKED]
Attachments: SK205312031915330.pdf; SAVANNAHTENOBJ19032012.doc

Entertainment Licensing

Please accept the below attachments as a police letter of objection with supporting evidence re a TEN for the premises known as Savannah. I have sent paper copies today to the premises user at the premises' address on Grove Road.

Regards

Cath



PC 5548 Catherine Arkle
Divisional Licensing Officer
City & Holbeck
x53072
0113 2413072

REPORT MINOR CRIME ONLINE: Report a West Yorkshire crime online, request a call
This email carries a disclaimer, a copy of which may be read at
<http://www.westyorkshire.police.uk/emailDisclaimer.asp>



**WEST YORKSHIRE
POLICE**

Licensing Dept
Millgarth Police Station
Millgarth Street
Leeds
LS2 7HX

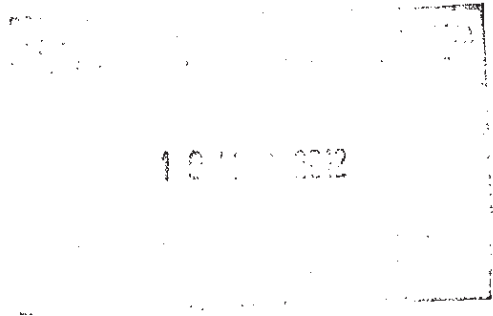
CA

Tel: 0113 2413072
Fax: 0113 2413123
Email:
catherine.arkle@westyorkshire.pnn.police.uk
Website:

Your ref:
Our ref:

14th March 2012

Clifton Properties(Yorkshire) Ltd
351, Bradford Road
Batley
WF17 5PQ



To Whom It May Concern

Re: Savannah(Previously George 1V), Grove Road, Hunslet, LS10 2QT

I write in connection with the above mentioned premises for which your company is named as the Premises Licence Holder.

I have received recent reports from the Neighbourhood Policing Team for that area that the premises are being operated beyond their permitted hours and unauthorised licensable activities are therefore taking place.

Complaints have been received from other licensed premises in the area and local residents. The main issues are that the premises are open until 4am on a Saturday and Sunday morning, with music "bellowing out", and all sorts of "riff raff" in the pub with drug dealing / taking going on in the premises. The current premises licence authorises sales of alcohol until 1am on these mornings.

We expect your company as the PLH to deal with the DPS, Joseph Njuguna, in a positive fashion and remind him of his duties in complying with the licence. Should he fail to do so and continue to commit offences we shall have no option other than to prosecute and to look to a review of the premises licence.

I look forward to hearing from you regarding this matter.

Yours faithfully,

PC 5548 Arkle
Divisional Licensing Officer
City & Holbeck

RECEIVED
23 JAN 2012



Leeds
CITY COUNCIL

Licensing and Registration
Entertainment Licensing Section
Civic Hall
Leeds LS1 1UR

PC Cath Arkle
West Yorkshire Police
Police Headquarters
Millgarth Street
Leeds
LS2 7HX

Contact: Mr Matthew Nelson
Tel: 0113 2474095
Fax: 0113 2243885
Email: matthew.nelson@leeds.gov.uk
Our Ref: A80/PREM/01507/004

23rd January 2012

Dear PC Arkle,

Application for the variation of a Premises Licence - Notice of Determination

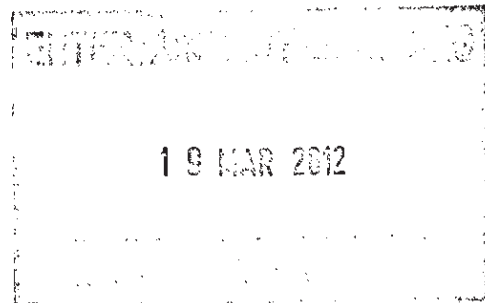
Premises: Savannah Club, Grove Road, Hunslet, Leeds, LS10 2QT

Please find enclosed a copy of the Notice of Determination which represents the formal decision made by the Licensing Sub Committee in relation to the above application.

Please do not hesitate to contact the Licensing Section on the above telephone number should you require any further assistance or information.

Yours sincerely,

Mr Matthew Nelson
Licensing Officer
Entertainment Licensing Section



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23 JAN 2012



Leeds
CITY COUNCIL

Notice of Decision
Of the Licensing Sub Committee

Date of Hearing: Monday 9th January 2012

Determination Date: Monday 9th January 2012

Notice of Decision: Monday 23rd January 2012

Members: Councillor Brian Selby (Chair)
Councillor Chris Townsley
Councillor Karen Bruce

Legal Officer: Anne-Marie Pollard

Committee Clerk: Angela Bloor

Licensing Officer: Stephen Holder/Emma White

Applicant: Clifton Properties (Yorkshire) Ltd

Premises: Savannah Club, Grove Road, Hunslet, Leeds, LS10 2QT

Application: Variation of a Premises Licence

Attendees: Mr Jospheh Njuguna (Applicant)
Mr Howe (Accountant)
PC Cath Arkle (West Yorkshire Police)
Sgt. Darren Chapman (West Yorkshire Police)
PCSO Jo Dickinson (West Yorkshire Police)
Mr Mike Bird (Environmental Health)

This application was brought before the Licensing Sub Committee due to the receipt of relevant representations

The Licensing Sub Committee considered:

1. The report from the Head of Licensing and Registration.
2. Licensing Act 2003.
3. Guidance issued by the secretary of State of Culture Media and Sport pursuant to Section 182 of the act.
4. Relevant Licensing Objectives.
5. The statement of Licensing Policy 2011 – 2013.
6. Representations received from responsible authorities.
7. Representations received from interested parties.

Having taken all these matters into account the Licensing Sub Committee have agreed to **refuse** the application.

The reason for this decision is as follows:

The Licensing Sub-Committee have carefully considered the report and heard from West Yorkshire Police and the Environmental Health Service.

They feel that the hours already existing on the premises licence more than adequately meet the Applicant's long term plans of being a restaurant and small bar.

They agree with the concerns raised by West Yorkshire Police and the Environmental Health Service in relation to it being a residential area which has been the subject of very recent noise complaints.

The Licensing Sub-Committee had serious concerns that the conditions already on the licence were not being followed. This was admitted by the Applicant who admitted allowing under 18s to enter his premises contrary to condition 103 on the existing licence.

The Licensing Sub-Committee therefore felt that to extend the hours of this licence would be contrary to the licensing objectives on the basis of crime and disorder and protection of children from harm and therefore resolved to refuse the Application.

Right of Appeal

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the sub committee. You must make this appeal within 21 days of receiving this notice.

Appeals should be addressed to the Magistrates Court at:

**Clerk to the Justices
Leeds Magistrates Court
Westgate
Leeds
LS1 3JP**

and be accompanied by a copy of this notice of decision and the court fee of £400.00 if you are the premises licence holder/applicant and £200.00 for all other parties. Cheques should be made payable to HMCS.

Please note – Persons making appeals should be aware that the Magistrates have the power to award costs against any party as a result of appeal proceedings.

Police reports re Savannah Club since Mr.NJUGUNA is known to have been in charge.

INTELL: OTHER -12/09/2011 - Officers were approached on CHURCH STREET, HUNSLET, by [REDACTED]

E41 - [REDACTED] stated that [REDACTED]

E41 - [REDACTED] stated that one day last week [REDACTED] was in the SAVANNAH, GROVE ROAD, HUNSLET playing pool with the landlord. She also stated that [REDACTED] had told [REDACTED] he had been to [REDACTED]

E41 - [REDACTED]

E41 - [REDACTED]

INTELL: Anti-Social behaviour/ Misc/Violent Crime/Assault - It is believed that [REDACTED] was involved in a fight with an older man (nfdk) on Friday 14th October 2011, outside the SAVANNAH PUBLIC HOUSE, GROVE ROAD, HUNSLET, LEEDS. It is not known what the fight was about.

[REDACTED] has apparently stated he is allowed to drink in the SAVANNAH PUBLIC HOUSE, with no problems, however he is a 16 year old boy.

INTELL: Anti Social Behaviour/Misc - Between 0230-0300hrs on Sunday 30th October 2011 a rear window of THE OLD GEORGE public house, GROVE ROAD, HUNSLET, LEEDS (Ward 10) was smashed. There were no witnesses to this incident, however, the landlord is having repeated problems with youths in the area due to him not allowing them into the pub to play pool due to their age.

The landlord is Joe NJUGUNA. He had damage caused in the recent weeks, again not witnessed by any person and no known suspects, however, he was approached by three males, who said that the lad that had been causing the damage and problems was called [REDACTED] (NFD) of [REDACTED]

[REDACTED] They gave their details to NJUGUNA as being [REDACTED] and [REDACTED] (NFD, not created)

They did not elaborate on how they knew the information and NJUGUNA was unable to provide any further details. This is upsetting NJUGUNA as he

believes he is being subjected to the problem due to being new to the area and taking a lot of custom from other local bars.

INTELL - 21/10/2011 - It is believed that [REDACTED] b. [REDACTED] is spending time in the SAVANNAH, GROVE ROAD, HUNSLET, LEEDS LS10 2QT Public House. This used to be known as the GEORGE IV Pub.

There is concern as to who and what he is coming into contact with.

INTELL: Anti-Social behaviour/ Misc - Information received that [REDACTED] is regularly [REDACTED] It is believed he will continue to do this because [REDACTED] are not doing anything about it.

It is believed he regularly goes to the SAVANAH PUBLIC HOUSE, GROVE ROAD HUNSLET LEEDS until the early hours of the morning.

It is believed the landlord is aware of his age but allows him and other underage boys to play snooker in there because he believes it keeps him out of trouble.

INTELL: Stop Check - At 0200 hours on 24/11/2011 on HEMINGWAY GARTH, HUNSLET, LEEDS a white 4x4 vehicle registration [REDACTED] was stopped by officers. (PNCs to a WHITE AND SILVER MITSUBISHI ESTATE).

The driver was [REDACTED] born [REDACTED]; front seat passenger was [REDACTED] born [REDACTED] and the rear seat passenger was [REDACTED] born [REDACTED]

[REDACTED] stated that they were going to SAVANNAHS nightclub. (possibly SAVANNAH, GROVE ROAD, HUNSLET, LEEDS). E41

DESC [REDACTED] was wearing a navy blue tracksuit with grey stripes down the sides. A11

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