

Licensing Sub-Committee

Monday, 5th December, 2011

PRESENT: Councillor in the Chair

Councillors S Armitage, J Dunn and
R D Feldman

APOLOGIES Councillor G Hussein

149 Election of the Chair

RESOLVED – Councillor Feldman was elected as Chair for the meeting.

150 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

151 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

152 Late Items

There were no late items.

153 Declarations of Interest

There were no declarations of interest.

154 "The Spice Box" - Application for the grant of a Premises Licence for The Spice Box Limited, 152 High Street, Boston Spa, Wetherby LS23 6BW

Agenda item 6 "The Spice Box" was not discussed due to I having previously been dispensed with.

155 "Silver Vase" - Application for the grant of a premises licence for Silver Vase, 2 Stainbeck Lane, Meanwood, Leeds LS7 3QY

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy considered an application for the grant of a premises licence for Silver Vase, 2 Stainbeck Lane, Meanwood, Leeds, LS7 3QY.

Representations had been received by West Yorkshire Police (WYP) objecting to the application in light of the premises being located within an area affected by the Cumulative Impact Policy.

Representations had also been submitted by Ward Councillors and a local resident objecting to the application, although no ward Councillors were in attendance.

The hearing was attended by the following:

- Cuong Bang, Proposed Licence Holder;
- Jagjit Rall, Observer;
- Mike McRath (Chapel Allerton Neighbourhood Plan), Observer.

Cuong Bang addressed the Sub Committee and made the following points:

- The premises had previously had a licence to serve hot takeaway food which had lapsed due to a breakdown in family relationships;
- The premises, which Mr Bang had worked at, had previously had a good reputation with no police intervention; and
- There was no significant change in the hours the takeaway planned to open compared to the previous takeaway.

PC Lynn Dobson, West Yorkshire Police, addressed the Sub Committee and made the following points:

- Confirmation that West Yorkshire Police had submitted a representation as the premises were located within an area covered by the Cumulative Impact Policy; and
- The increasing number of takeaways causing problems for the Police in terms of crime and disorder as people often patronise them after pubs have closed.

In summing up the applicant re-iterated the good record the premises previously had and offered to install CCTV.

The Sub Committee then carefully considered all the written and verbal submissions and made the following decision:

RESOLVED – To grant the application as requested, subject to conditions imposed by the Committee as follows:

The Committee considered that the hours sought are minimal and that licensed premises in the immediate area operate until 2am and therefore these premises would not impact on the area by increasing the number of persons in the area or contribute to public nuisance.

They also took into account, which was confirmed with West Yorkshire Police, that these premises have operated successfully in the past to these hours with no problems as of today's date.

The Licensing Subcommittee is therefore mindful to grant the application with the condition to install CCTV to the satisfaction of West Yorkshire Police within 6 weeks from today. The CCTV to be retained to the satisfaction of West Yorkshire Police.

These are considered necessary and proportionate in line with the licensing objectives.

156 "Jaldi Jaldi" - Application for the grant of a premises licence for Jaldi Jaldi, 4 Stainbeck Lane, Meanwood, Leeds LS7 3QY

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy considered an application for the grant of a premises licence for Jaldi Jaldi, 4 Stainbeck Lane, Meanwood, Leeds, LS7 3QY.

Representations had been received by West Yorkshire Police (WYP) objecting to the application in light of the premises being located within an area affected by the Cumulative Impact Policy.

Representations had also been submitted by Ward Councillors and local residents objecting to the application. However no Ward Councillors were in attendance.

Representations had also been submitted by Chapel Allerton Neighbourhood Plan.

The hearing was attended by the following:

- Rashad Mahmood, Proposed Licence Holder;
- David Smith, Licensing Consultant;
- Henry Price, Observer; and
- Mike McRath (Chapel Allerton Neighbourhood Plan), Objector.

David Smith addressed the Sub Committee and made the following points:

- Jaldi Jaldi is part of a large successful organisation with a reputation for quality and good service;
- a number of temporary event licences have recently been issued and these have passed off with no trouble;
- installation of CCTV to take place and also signs to be installed insisting noise be kept to a minimum in the premises;
- the Management to ensure litter in the area around the premises is cleared;
- the original request to be open until 3am on Friday and Saturday to be reduced to 2am.

PC Dobson, West Yorkshire Police, addressed the Sub Committee and made the following points:

- confirmation that West Yorkshire Police had submitted a representation as the premises were located within an area covered by the Cumulative Impact Policy; and
- the increasing number of takeaways caused problems for the Police in terms of crime and disorder as people often patronise them after pubs have closed.

Mike McRath (Chapel Allerton Neighbourhood Plan) made his representation as follows:

- there are already a large number of late night takeaways in the area;
- this application requests a later licence than most takeaways in the area;
- the potential that if this application was to be approved that other requests would be made to extend licensing hours; and
- the likelihood of an increase in noise and litter if the proposed hours of licensable activities are approved;

In summing up the applicant made the following key points:

- for the business to be viable it needs to be open at times when there is an abundance of trade;
- a genuine belief that the business can trade until 2am responsibly; and
- confirmation that noise and litter will be taken seriously.

The Sub Committee then carefully considered all the written and verbal submissions and made the following decision:

RESOLVED – To grant the application as requested, subject to conditions imposed by the Committee as follows;

The Licensing Sub Committee did not feel that the applicant had demonstrated that their application would not impact on the Cumulative Impact after 11:30/midnight and to grant beyond these hours would be detrimental to the majority of residents in the area.

The decision was to grant the licence limited to 23:00 until 23:30 Monday to Wednesday and 23:00 to midnight Thursday to Sunday.

157 "Cocktail Bar" - Application for the grant of a premises licence for Cocktail Bar, 39 Call Lane, Leeds LS1 7BT

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy considered an application for the grant of a premises licence for Cocktail Bar, 39 Call Lane, Leeds, LS1 7BT.

Representations had been received by West Yorkshire Police (WYP) objecting to the application in light of the premises being within an area affected by the Cumulative Impact Policy.

Representations were received by Leeds City Council Environmental Protection Team.

Representations were also received by Leeds City Council Health and Safety Service however the measures proposed had been agreed by the applicant and the representation subsequently withdrawn on the understanding that those measures would appear on the premises licence as conditions should the application be granted.

The hearing was attended by the following:

- Alexander William Neil, Proposed Licence Holder;
- Christopher Neil, Supporter;
- Jonathan Neil, Supporter;
- PC Kath Arkle, West Yorkshire Police

Christopher Neil addressed the Sub Committee and made the following points:

- the Premises would be a small and exclusive venue which would be unlikely to add to the problems in Call Lane;
- the applicant and his supported have many years experience at running licensed venues and have had made one call to the police in 21 years;
- the change of use has already been granted by Leeds City Council's planning department;
- registered SIA doormen would be employed at the premises;
- a willingness to work with West Yorkshire Police.

PC Cath Arkle, West Yorkshire Police, addressed the Sub Committee and made the following points:

- confirmation that West Yorkshire Police had submitted a representation as the premises were located within an area covered by the Cumulative Impact Policy; and
- the large number of bars and clubs already present in the Call Lane area already causes serious crime and disorder issues which would be added to if this licence application were to be granted.

Brian Kenny, Leeds City Council, Environmental Protection Service, addressed the Sub – Committee and made the following points:

- confirmation that Leeds City Council, Environmental Protection Service had submitted a representation as the premises were located within an area covered by the Cumulative Impact Policy; and
- complaints are regularly received about bars and clubs on Call Lane due to the close proximity of residential property.

In summing up the applicant made the following key points:

- the numbers likely to use the proposed premises would not have a significant impact on the Call Lane area; and
- the intention to have live bands only on rare occasions.

The Sub Committee then carefully considered all the written and verbal submissions and made the following decision:

RESOLVED – To refuse the application for the following reasons:

The Committee considered the Leeds City Council Cumulative Impact Policy and heard the full objections from West Yorkshire Police and the Environmental Protection Service and the particular problems in this area which has now reached saturation point. The Licensing Subcommittee is mindful that this is a new additional premises in the area that will impact on the cumulative impact in the area. The decision of the Licensing Subcommittee is that the applicants have not demonstrated that their application would not add to the cumulative impact of such premises in the area and therefore refused the application.