

## **Licensing Sub-Committee**

**Monday, 30th January, 2012**

**PRESENT:** Councillor C Townsley in the Chair

Councillors P Latty and R D Feldman

### **195 Election of the Chair**

**RESOLVED** – That Councillor Townsley be elected Chair for this meeting.

### **196 Exempt Information - Possible Exclusion of the Press and Public**

**RESOLVED** – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information so designated as follows:

Appendix B referred to in Minute No. 202 under Regulation 14 of the Licensing Act 2003 Hearings Regulations 2005 (SI 2005 No. 44)

### **197 Late Items**

No formal late items of business were added to the agenda for the meeting, however additional information had been submitted in relation to agenda item 6 (Minute No. 199 refers) and agenda item 8 (Minute No. 201 refers).

### **198 Declarations of Interest**

There were no declarations of interest.

### **199 Gambling Act 2005 - Application for a Premises Licence - Ladbrokes, Part of Morley Market, Corner of Queen Street and Hope Street, Morley, Leeds**

The Sub-Committee, having regard to the Gambling Act 2005 and guidance to Licensing Authorities 3<sup>rd</sup> Edition and under s349 of the Authority's own Statement of Licensing Policy – Gambling Act 2005, considered an application made by Ladbrokes under Part 8 of the Gambling Act 2005 for the grant of a new Premises Licence in respect of premises within part of Morley Market and corner of Queen Street and Hope Street, Morley, Leeds.

Representations had been submitted by two local Ward Members.

The hearing was attended by the following:

- Gavin Dalzell, Applicant's Representative
- Julia Palmer, Legal Representative
- Councillor Elliott, Ward Member
- Councillor Varley, Ward Member

Julia Palmer addressed the Sub-Committee on behalf of the applicant and made the following points:

- The new premises provided greater disabled access.
- No previous issues had been reported in relation to under 18's accessing the premises.
- The applicant supported responsible betting and was governed by strict guidelines.

Councillors Elliott and Varley (Ward Members) addressed the Sub-Committee and made the following points:

- Concern about the exploitation of vulnerable adults.
- Concern about the impact of the premises on the local population, particularly families and individuals residing in near by sheltered housing.
- Concern about the impact of the premises on local levels of deprivation.

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

**RESOLVED** – To grant the application as requested.

**200 "Nisa Malvern" - Application to vary a premises licence held by Nisa Malvern, Beeston Road, Beeston, Leeds LS11 8ND**

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 to vary a premises licence held by Nisa Malvern Beeston Road, Beeston, Leeds, LS11 8ND.

A representation had also been submitted by LCC Environmental Protection Team, 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.

Representations had also been submitted by two local Ward Members.

The hearing was attended by the following:

- Paul Sherratt, Applicant's Representative
- Jiten Patel, Applicant
- Councillor Gabriel, Ward Member

Paul Sherratt addressed the Sub-Committee on behalf of the applicant and made the following points:

- CCTV to be installed at the premises.
- Notices to be displayed requesting customers to leave the premises quietly.
- Litterbin to be installed outside the premises.
- The applicant was investing significant resources in the premises, which would assist in regeneration of the area.

Councillor Gabriel (Ward Member) addressed the Sub-Committee and made the following points:

- Objection to the sale of alcohol from 7.30am.
- Concerns about public disorder, particularly as the premises was located in a residential area.
- Concerns about customers discarding litter in residents' gardens.
- The negative impact on alcohol awareness programmes that were currently in place.

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

**RESOLVED** – To grant the application as requested.

**201 "The Rock Bar Ibiza" - Application to vary a premises licence held by The Rock Bar Ibiza Leeds, 52 Call Lane, Leeds LS1 6DT**

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 to vary a premises licence for The Rock Bar Ibiza Leeds, 52 Call Lane, Leeds, LS1 6DT.

A representation had been submitted by West Yorkshire Police (WYP) containing measures to address public nuisance and crime and disorder licensing objectives.

The hearing was attended by the following:

- Paddy Whur, Legal Representative
- PC Cath Arkle, West Yorkshire Police
- Bob Patterson, West Yorkshire Police

Paddy Whur addressed the Sub-Committee on behalf of the applicant and made the following points:

- This was a high end bar which had recently won a prestigious award in London.
- Acknowledgement of issues in relation to seating capacity which had now been resolved.
- This application was unlikely to trigger any cumulative impact issues.

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

- Concern about the impact of the application on the Cumulative Impact Policy.
- Concern about overcrowding at the premises.
- Concern that there was no effective control of logging individuals in and out of the premises.

In response to Members' questions and comments, the following points were made:

- There had been no complaints about the premises from local residents.
- Door staff had received training in relation to previous capacity issues experienced at the premises.
- The applicant attended weekly Pubwatch meetings and enjoyed a good working relationship with West Yorkshire Police.

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

**202 "Black Diamond Club" - Application to vary a premises licence held by Black Diamond Club, 68 New Briggate (1st & 2nd Floors only), Leeds to specify an individual as Designated Premises Supervisor**

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 to specify an individual as designated premises supervisor at The Black Diamond Club, 68 New Briggate, (1st & 2nd Floors Only), Leeds, LS1 6NU.

Appendix B to the report was designated as exempt under Regulation 14 of the Licensing Act 2003 Hearings Regulations 2005 (SI 2005 No. 44).

The Sub Committee were required to consider this application due to the receipt of a representation from West Yorkshire Police (WYP).

The hearing was attended by the following:

- PC Cath Arkle, West Yorkshire Police
- Bob Patterson, West Yorkshire Police.

Members agreed to proceed with this hearing in the applicant's absence.

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

**RESOLVED** – To refuse the application.

(The meeting concluded at 1.30pm)