

Licensing Sub-Committee

Monday, 12th March, 2012

PRESENT: Councillor A Khan in the Chair
Councillors G Wilkinson and D Wilson

225 Election of the Chair

RESOLVED- Councillor Khan was elected Chair for the meeting.

226 Declarations of Interest

There were no declarations of interest made at the meeting.

227 Leeds Young People's Film Festival - Certification of Films

The Sub-Committee having regard to the Licensing Act 2003, and in particular the protection of children from harm licensing objective, considered an application seeking the certification of films proposed to be shown at the 13th Annual Leeds Young People's Film Festival between 26th March -5th April 2012 at various venues throughout the Leeds City Council area.

The applicants, Mr M Grund and Ms D Maturi, representing the Leeds Young People's Film Festival, addressed the Sub-Committee and informed the meeting that the following three films had been withdrawn from the current programme:-

- The Great Bear
- Here Comes Lola
- Me and My Umbrella

For ease of reference, the Sub-Committee discussed the content of each film to be shown as referred to in Appendix A of the report.

Arising from discussions, the Sub-Committee sought feedback on the success of last year's Leeds Young People's Film Festival and on the process for monitoring certification.

RESOLVED- That an application for the certification of films proposed to be shown during the Leeds Young People's Film Festival be dealt with as follows in order to promote the protection of children from harm objective:-

<u>Name of Film</u>	<u>Classification Agreed</u>
Capelito: The Magic Mushroom	U
Itch of the Golden Nit	U
Moomins and the Comet Chase	U
Lotte and the Moonstone Secret	U

Yoko	U
Welcome to the Space Show	U
Tales of the Night	PG
On the Sly	PG
Lily the Witch – The Journey to Mandalan	PG
Nicostratos the Pelican	PG
Being Elmo	PG
Children Who Chase Lost Voices from Deep Below	12A
We Are Poets	12A
Crocodiles: All for One	12A
Death of a Superhero	15
Four Days Inside Guantanamo	15

228 "Ephesus Restaurant" - Application for the grant of a premises licence for Ephesus Restaurant, 4 Rodley Lane, Rodley, Leeds LS13 1HU

The Sub-Committee, having regard to section 17 of the Licensing Act 2003, considered an application for the grant of a premises licence in respect of premises at 4 Rodley Lane, Rodley, Leeds 13 trading as Ephesus Restaurant.

The Sub-Committee were required to consider this application due to the receipt of representations from interested parties and responsible authorities.

Representations containing measures proposed to address the relevant licensing objectives had been submitted by LCC Health and Safety Team (LCC H&S); LCC Environmental Protection Team and West Yorkshire Police (WYP) and had been agreed by the applicant prior to the hearing.

In addition to the above representations, the Sub-Committee agreed to consider a letter of objection received from Mr M Holt dated 9th February 2012 who was not present at the meeting

The applicant, Mr Kadir Kayalar addressed the Sub-Committee and, in summary, made reference to the following key points:-

- details of previous experience gained of running bars in another country

- the favourable comments received from customers since the restaurant opened in January 2011
- the previous practice of customers bring their own bottles
- the fact that he had written to Mr Holt addressing the issues of concern with particular reference to car parking problems and outside noise regarding the outside decking area

Prior to making the decision, the Sub Committee raised the following issues:-

- clarification if wine and bottled beer would be served with meals only
- the concern that customers could purchase wine at 10.59pm and that there was no provision for a 30 minute period of drinking up time
- clarification if there had been any complaints with regards to noise since January 2011 at the premises and in particular around closing time
- the fact that the decking issue was a matter for the planning department and not for this Sub-Committee

Arising from discussions, Mr Kayalar informed the meeting that he would have no objection to varying the application for the supply of alcohol for consumption 'On' the premises Tuesday to Sunday from 17:00 to 22:30 to alleviate the Sub-Committee's concerns.

Further discussion ensued regarding the space provision arising from the proposed seating plan and on the possible noise element arising from smokers using the decking area on a summers evening.

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

RESOLVED – a) To grant the application, as varied by the applicant, in the following manner:

Supply of alcohol for consumption "On" the premises
Tuesday to Sunday 17:00 to 22:30

Recorded Music – Indoors
Tuesday to Sunday 17:00 to 23:00

Times when the premises will be open to the public
Tuesday to Sunday 17:00 to 23:00

Non Standard Timings
No non standard timings for bank holidays or special occasions are proposed

No drinks to be served without food

b) That the conditions identified by LCC Health and Safety Team (LCC H&S), LCC Environmental Protection Team and West Yorkshire Police (WYP) be retained.

c) That in relation to Part 1 of the Leeds City Council's Environmental Action Service Proposed Controlled Measures under the Licensing Act 2003, condition 7 be amended to read as follows:-
'The activities of persons using the external areas shall be monitored and they shall be reminded to have regard to the needs of local residents and to refrain from shouting and anti social behaviour etc when necessary'

d) That the applicant be advised to consult with the Department of Planning with regards to outside hours of use and the decking issue.

(The meeting concluded at 10.50 am)