

Licensing Sub-Committee

Monday, 14th May, 2012

PRESENT: Councillor G Hyde in the Chair

Councillors B Gettings and A Khan

270 Election of the Chair

RESOLVED – Councillor G Hyde was elected as Chair for the meeting.

271 Appeals Against Refusal of Inspection of Documents

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

272 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to excluded the public.

273 Late Items

There were no late items.

274 Declarations of Interest

There were no declarations of interest made.

275 "Afrolatino" - Application to vary a premises licence held by Afrolatino Restaurant, 142 Roundhay Road, Leeds LS8 5NA

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 "Afrolatino" Afrolatino Restaurant, 142 Roundhay Road , Leeds, LS8 5NA.

A representation had been submitted by Leeds City Council's Environmental Protection Team.

Present at the hearing were;

Mr Robert Sam Miezi – Premises Licence Holder;

Ms Linda Muimo – Manager of Afrolatino; and

Mr Brian Kenny – LCC Environmental Protection Team.

Mr Meizi addressed the Sub Committee and made the following points:

- Since the premises opened over eight years ago there has been a large number of Temporary Event Notices which have all passed without cause for concern or involvement of the Police; and
- The desire to expand the business and employ more people;

Members of the Sub Committee queried aspects of the variation application with the Premise Licence Holder. Particular attention was given to the representation letter submitted by the LCC Environmental Protection Team shown at Appendix

D to the report, and how Afrolatino proposed to address the concerns raised within it.

The Sub Committee then heard from Mr Kenny, LCC Environmental Protection Team who objected to the variation to the current licence on the grounds that the premises in their current state were not suitable for late night opening and live music. This because of them being acoustically weak, which would result in the break out of noise in a largely residential area.

Mr Kenny also considered that if the request to keep the premises open until 5am was granted people leaving the premises at this time could cause disturbances to local residents.

In summing up the applicant re-iterated the positive impact that Afrolatino had on the local community; the success of the Temporary Events held at the premises; and the willingness of the venue to work with the Council.

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

RESOLVED – That the application be refused.

The concerns the Licensing Sub Committee had were not in relation to the management of the premises or concerns in relation to any other licensing objective other than public nuisance.

The Licensing Sub Committee were satisfied that the concerns raised by the Environmental Protection Team were in relation to the fabric of the building and the issues raised had not been addressed nor were there any proposals put forward to address the problem.

276 "Warehouse" - Application to vary a premises licence held by Warehouse (The), 19-21 Somers Street, Leeds LS1 2RG

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 "Warehouse" 19-21 Somers Street, Leeds, LS1 2RG.

The Sub Committee was required to consider the application due to the receipt of a representation from West Yorkshire Police.

The following were present at the hearing: -

MrJim Albentosa – the applicant;
Mr Andy Woods – solicitor for the applicant; and

PC Cath Arkle – West Yorkshire Police

Mr Woods addressed the Sub Committee on behalf of the applicant. He outlined the proposals of the applicant which were to introduce a further bar within the

premises and associated modifications to the premises with the intention to make it easier for customers to be served. Mr Woods stated it was not to request an increase in capacity. Mr Woods highlighted the good reputation of the operator and the very few issues that have occurred at the premises since the applicant had taken them over. Mr Woods also put forward the view that far from undermining the Licensing Policy the proposed changes to the premises promote its objectives by improving the facilities for customers.

The Sub Committee then heard from PC Arkle of West Yorkshire Police who highlighted the potential of the proposed new bar area within the premises to increase the availability of alcohol. Also put forward that although the current owner of the premises did have a good reputation this might not always be the case if the premises were to be sold to another operator.

In summing up Mr Woods put forward that staff at the “Warehouse” are instructed not to allow the sale of alcohol to customers who appear to be drunk and that staff training will be the same for staff operating the proposed new bar area.

RESOLVED – To grant the application as requested.