

Licensing Sub-Committee

Tuesday, 19th January, 2016

PRESENT: Councillor J Dunn in the Chair

Councillors G Hussain and S McKenna

125 Election of the Chair

RESOLVED – That Councillor Dunn be elected as Chair for the duration of the meeting.

126 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

127 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public.

128 Late Items

There were no late items submitted for consideration.

129 Declarations of Disclosable Pecuniary Interests

No declarations were made.

130 Temporary event notice for Second Floor, 162 - 163 Briggate, Leeds,LS1 6LY

The Head of Elections, Licensing and Registration submitted a report which advised Members of a temporary event notice (TEN) served under section 100 of the Licensing Act 2003 in respect of Second Floor, 162-163 Briggate, Leeds, LS1 6LY.

An objection notice had been received from West Yorkshire Police.

Present at the hearing were:

Paul Nathan-Geary –TEN User

PC Cath Arkle – West Yorkshire Police

Bob Patterson - West Yorkshire Police

The applicant addressed the Sub Committee, he highlighted that due to not enough footfall during the day his business relied on holding events, work was being done to build on retail activity to help increase business. Mr Nathan-Geary informed the Sub Committee that he operated two other premises which are open during the day and are marketed as events spaces. Mr Nathan-Geary confirmed to the Sub Committee

that the reason for the TEN was due to being double booked at another venue he operates in the city. The event would be a 40th birthday party taking place at a weekend from 7:00pm until 1:30am with live music until 12pm and recorded music thereafter. Mr Geary commented that he supported the work of the Police and wanted to contribute to Briggate and Call Lane being pleasant areas.

At this point Members asked Mr Nathan-Geary about the conditions attached to the premises licence which stated that no TENs would ever be applied for. Mr Nathan-Geary commented that this was an exception due to a double booking and that no application would be made again.

Mr Patterson and P.C. Arkle addressed the Sub Committee stating that the premises formed part of the Red Zone of the CIP and had been in the red zone since the introduction of colour coding in 2014. It was stressed that this area of the City has caused problems for the Police since 2005.

Mr Patterson referred back to the original application for a licence and highlighted the condition offered by Mr Nathan-Geary's legal representative (and incorporated into the licence) not to apply for any TENs, on this basis the Police felt under obligation to object. Mr Patterson felt that Mr Nathan-Geary was essentially applying for a dispensation and he considered that there was no procedure for this.

The Police commented that very few applications were granted in this area of the City and that one of the reasons the application for this premises had been successful in 2014 was due to the undertaking not to submit TENs.

Members asked whether the Police would consider negotiation on the TEN conditions contained within in the existing licence outside of the hearing. It was confirmed they would be open to discussion with Mr Nathan-Geary but would require the involvement of the other statutory authorities who also objected to the original application.

In summary Mr Geary thanked the Sub Committee for their time and appreciated the difficulty created by the submission of the TEN.

After careful consideration of the issues presented to them including the timings of the event and the merits of the TEN, The Sub Committee:

RESOLVED – to issue a counter notice against the TEN user in order to promote the licensing objectives and in the interests of preventing crime and disorder.