

Licensing Sub-Committee

Tuesday, 5th April, 2016

PRESENT: Councillor B Gettings in the Chair

Councillors M Harland and C Townsley

185 Election of the Chair

RESOLVED – That Councillor B Gettings be elected as chair for the meeting.

186 Appeals Against Refusal of Inspection of Documents

There were no appeals.

187 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

188 Late Items

There were no late items. Supplementary information was submitted for Agenda Item 6, Review of the Premises Licence for Biedronka, Roundhay Road, Leeds and Agenda Item 7, Review of the Premises Licence for East European Foods, 11 Harehills Road, Harehills, Leeds.

189 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

190 Review of the Premises Licence for Biedronka, 225 Roundhay Road, Leeds, LS8 4HS

The report of the Head of Elections, Licensing and Registration informed Members of an application for the review of the Premises Licence held at Biedronka, 225 Roundhay Road, Leeds. The review had been sought by the Licensing Authority under Section 51 of the Licensing Act 2003.

Members were informed of the recent history of the licence held at the premises and changes made to the Designated Premises Supervisor. There had been a persistent breach of the conditions attached to the licence and the premises had been subject to a number of enforcement visits. A suspension of the licence had been requested whilst it was ensured that the CCTV system operated correctly.

A representative of the Licensing Enforcement and Liaison Team addressed the Sub-Committee. Following a complaint that the premises had been operating outside the permitted hours it was discovered that the CCTV at the premises was not working in accordance with the conditions required for the licence. The Licence Holder had been informed that if the CCTV system was brought to the required standard then no further action would be required.

It was reported that the CCTV still had not been brought up to the required standard following a further seven visits to the premises and four letters informing the applicant that a suspension of the licence would be sought. Following this the request was made for a review of the licence.

Prior to the hearing, further evidence had been submitted that the CCTV was now working to the required standards and the licence holder had been advised that the review process could not be stopped.

In response to Member's comments and questions, the Licence Holder apologised for the failure to get the CCTV system fully operational. Member's expressed deep disappointment regarding the time it took to get the CCTV working in order to comply with the conditions on the licence and also stressed the need for all staff working at the premises to be trained in the operation of the CCTV system. Members implored to the operator the severity of the situation and provided a warning that such behaviour would not be tolerated in the future.

The Licensing Sub-Committee carefully considered the report of the Head of Elections, Licensing and Registration; the statement of Licensing Policy and the application itself. It also considered the representations made by the Licensing Enforcement and Liaison Team and the Licence Holder.

RESOLVED – That no further action be taken with regard to the review of the Licence. Members requested that the premises continue to be closely monitored by the Licensing Authority and West Yorkshire Police. The committee stated that if there were further breaches of conditions on the licence, they would expect this matter to be brought back to it.

191 Review of the Premises Licence for East European Foods, 11 Harehills Road, Harehills, Leeds, LS8 5HR

The report of the Head of Elections, Licensing and Registration informed Members of an application for the review of the Premises Licence under Section 51 of the Licensing Act 2003, sought by the licensing Authority in respect of East European Foods, Harehills Road, Harehills, Leeds.

The previous Premise Licence Holder but now current Designated Premise Supervisor was in attendance but not the current Premise Licence Holder. The current Premise Licence Holder had been informed that the Licence was under review when it had been transferred and he had also been informed both verbally and in writing of the Hearing. The previous Premise Licence Holder confirmed that he was not in attendance to represent the current Premise Licence Holder.

The Licensing Sub-Committee considered whether to hear the application in the Licence Holder's absence or whether to defer the hearing to allow his attendance.

RESOLVED – That the hearing be deferred to allow the Premise Licence Holder's attendance. Although steps had been taken to rectify the CCTV issues, the options available to members could include revoking the licence. The fact the Premise Licence Holder had not attended the hearing showed a lack of appreciation of the severity of this situation. Members adjourned the matter to 19 April 2016.

