

Licensing Sub-Committee

Tuesday, 17th May, 2016

PRESENT: Councillor G Hyde in the Chair

Councillors M Harland and A Khan

204 Election of the Chair

RESOLVED - Councillor Hyde was elected Chair for the meeting

205 Appeals Against Refusal of Inspection of Documents

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

206 Exempt Information - Possible Exclusion of the Press and Public

It was noted that no members of the public attended the hearing, however the Sub Committee

RESOLVED – That if necessary, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of that part of the agenda designated as 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 in Appendix D to the report referenced in Minute No 209. This is designated as exempt from publication in accordance with paragraph 10.4 (3) of Schedule 12A(3) of the Local Government Act 1972 as it contains information which relates to the business affairs of any particular person, as such it is considered that the public interest in maintaining the content of Appendix D as exempt outweighs the public interest in disclosing the information.

207 Late Items

No formal late items of business were added to the agenda, however Members were in receipt of additional documentation in respect of Agenda Item 6 – DOC, 27 Wellington Street LS1 (minute 209 refers)

- a letter submitted by the applicant responding to some of the issues raised in representations received from objectors
- an email dated 16th May 2016 received from Norton Connor solicitors acting on behalf of City Central (Leeds) Right To Manage (RTM) Limited and a City Central resident who had submitted a representation to the application

208 Declarations of Disclosable Pecuniary Interests

There were no declarations of interest.

209 Istanbul Grill - Application for the grant of a premises licence for Istanbul Grill, 19 Merrion Street, Leeds, LS2 8JE

The Head of Elections, Licensing and Registration submitted a report on an application for the grant of a premises licence for the premises known as “Istanbul Grill”, 19 Merrion Street, Leeds LS2 8JE. It was noted that the premises lay within an area covered by a Cumulative Impact Policy (CIP).

LCC Environmental Protection Team had submitted a representation to the application, however as the applicant had agreed the suggested measures, this representation had been withdrawn on the understanding that the measures would be included on the Premises Licence should the application be granted.

West Yorkshire Police also submitted a representation to the application and PC C Arkle attended the hearing.

Mrs Bayat, the applicant, addressed the Sub Committee and requested that the hearing be adjourned. Mrs Bayat explained that although she was currently managing the premises, she was looking to buy the business and wanted time to prove to the Sub Committee and West Yorkshire Police that the premise would be hers and under her management. She hoped to evidence this by providing relevant documents to that effect within 4 weeks.

PC Arkle addressed the Sub Committee, confirming some of the information provided by the applicant and highlighting that Mrs Bayat had intended to bring someone to translate for her at the hearing, but had not been able to do so. PC Arkle stated that WYP had no objection to an adjournment.

RESOLVED – That the hearing be adjourned until Tuesday 21st June 2016.

The Sub Committee requested that Mrs Bayat inform the Licensing Authority ten days prior to the hearing if she was not able to secure a translator to accompany her to the hearing.

210 DOC - Application for the grant of a premises licence for DOC, Ground Floor, 27 Wellington Street, Leeds, LS1 4EA

The Sub Committee considered the report of the Head of Licensing, Elections and registration on an application for the grant of a premises licence, made by Wellington Pizza Co Ltd, for “DOC”, Ground Floor, 27 Wellington Street, Leeds, LS1 4EA.

No representations had been submitted by the responsible authorities; however three individual letters of objection from local residents had been received.

Mr G Thornton (applicant) and Mr K McDonnell (on behalf of City Central Leeds RTM Company Limited and a local resident) attended the hearing.

Prior to the hearing, Members had received two additional documents – the first being a letter received from Mr Thornton seeking to address the concerns expressed in the representations made by local residents. The second, an email submitted by Norton Connor solicitors on behalf of RTM and one local resident, outlined measures they agreed could be added to the premises licence should it be granted to address their concerns. Their representation opposing the application would be withdrawn if these measures were included as conditions on the licence. Mr McDonnell confirmed at the start of the hearing that one further local resident had agreed with the proposed

measures and that this left one further outstanding representation. The Sub Committee noted that these measures had not been agreed with the applicant.

At the hearing, Mr Thornton explained that he approached the objectors in April with a list of potential solutions to their concerns. Residents had later instructed a solicitor to draft a set of suitable conditions. However, concerns had been raised prior to the hearing over whether the proposed measures were enforceable and whether they were within the remit of the Licensing Authority. As such, Mr Thornton requested that consideration of the application be adjourned to allow him more time to work on appropriate measures.

The Sub Committee noted that Mr McDonnell on behalf of RTM and two local residents did not object to an adjournment.

RESOLVED – That the application be adjourned to a hearing on 21st June 2016