

## **Licensing Sub-Committee**

**Tuesday, 19th April, 2016**

**PRESENT:** Councillor B Gettings in the Chair

Councillors M Harland and C Townsley

### **192 Election of the Chair**

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

### **193 Appeals Against Refusal of Inspection of Documents**

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

### **194 Exempt Information - Possible Exclusion of the Press and Public**

There were no resolutions to exclude the public.

### **195 Late Items**

There were no late items submitted to the agenda for consideration.

### **196 Declarations of Disclosable Pecuniary Interests**

No declarations were made.

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

The Head of Elections, Licensing and Registration submitted a report which provided Members with the background and history to the making of the review application made by the Licensing Authority. The report set out the relevant law when reviewing licences under the Licensing Act 2003 ("the Act"), and informed members of the options available to them when reviewing a premise licence.

The meeting had been re-convened following a decision to adjourn made by the Sub-Committee on 5th April 2016.

In attendance for the review were:

Mr S H Mohammed – DPS (Licence holder at time the review was served)

Mr H Mirabadi – Licence Holder

Mrs C Brennand – Licensing Authority

PC L Dobson – West Yorkshire Police

The Sub Committee heard from Mrs Brennand who highlighted the additional information that had been submitted after the adjournment on 5th April 2016. This information included the fact that Mr Mirabadi had now complied with the licence condition to have a working CCTV system in place on the premises. The Licensing Authority had previously had many conversations with the licence holder and sent correspondence requesting that this condition be complied with.

The Sub Committee heard from PC Dobson who confirmed that the CCTV did now work at the premises. PC Dobson also sought assurance that the CCTV system had been removed from the flat above to the ground floor trading area. It was confirmed that this had happened.

In discussion with Members it was confirmed that CCTV had been requested from the licence holder following allegations of breaching the condition relating to open hours. However Mr Mirabadi had not been able to provide CCTV to prove there had been no breach and it had become apparent the CCTV did not work effectively.

The Licensing Sub Committee informed Mr Mirabadi that it takes breaches and non-compliance with the licensing conditions very seriously.

Mr Mirabadi addressed the Sub Committee and confirmed he had now complied with all requests made by the Licensing Authority with no outstanding issues.

Following full consideration of the options open to the Sub-Committee in the determination of Review applications Members made the following decision:

**RESOLVED** – The Sub Committee determined to allow the licence to continue to operate subject to conditions previously agreed.

Members wished the licence holder good luck. However the Sub Committee reiterated that further breaches to the licence would not be tolerated and would result in a further review. The Sub Committee noted the business now traded as DJ Off Licence.