

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: Tuesday 19th January 2016

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

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of Main Issues

This report advises Members that a temporary event notice has been received and the West Yorkshire Police have served an objection notice on the grounds of crime and disorder.

The licence that these premises benefit from have a unique condition, imposed by a licensing sub-committee at hearing, which reads: 'That the licence would be conditioned such that no Temporary Event Notices will be applied for in relation to this Premises Licence.'

West Yorkshire Police are satisfied that allowing the premises to be used in accordance with the temporary event notice would undermine a licensing objective.

Members of the Licensing Sub Committee are asked to consider the temporary event notice, objection and any other supplementary information contained in this report.

1 Purpose of this Report

- 1.1 To advise Members of a temporary event notice served under section 100 of the Licensing Act 2003 ("the Act") in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of an objection notice from West Yorkshire Police.

2 History of Premises

- 2.1 These premises benefits from a premises licence which according to the Licensing Authority's records are known to be trading as Café @ Lambert's Yard. A copy of the licence is attached at Appendix A of this report.

3 The Temporary Event Notice

- 3.1 The proposed premises user is Paul Nathan-Greary.
- 3.2 A copy of the temporary event notice is attached at Appendix B.
- 3.3 In summary the temporary event notice is for:

Sale by retail of alcohol
Regulated Entertainment
Provision of Late Night Refreshment
From 19:00 hours on the 30th January 2016
Until 01:30 hours on the 31st January 2016

Maximum capacity of the event is 150 persons.

- 3.4 The location of the premises can be seen on the map at Appendix C.

4 Representations

- 4.1 West Yorkshire Police and LCC Environmental Protection Team have both been served with a copy of the notice.
- 4.2 West Yorkshire Police consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the prevention of crime and disorder.
- 4.3 It should be noted that when the premises licence for these premises was considered by the licensing sub-committee on 27th October 2014, Members felt that it was necessary to impose certain measures in order to uphold the licensing objectives due to the premises location within the Cumulative Impact Area.
- 4.4 One of those measures was to ensure that no Temporary Event Notice will be applied for in relation to this premises licence. Further details can be viewed in the copy of West Yorkshire Police's objection and supplementary information attached at Appendix D of this report.

- 4.5 To address any concerns that the responsible authorities may have, Mr Nathan-Greary submitted a covering letter with the application for a temporary event notice. Member's attention is drawn to a copy of this letter at Appendix E.
- 4.6 In order to help further inform the decision making process, a copy of the notice of determination following the decision made by the licensing sub-committee for the premises licence is attached at Appendix F.

5 Equality and Diversity Implications

- 5.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

6 Options Available to Members

- 6.1 The Licensing sub-committee must take such of the following steps as it considers appropriate to promote the licensing objectives:
- Issue a counter notice against the event in order to prevent the event from taking place.
 - If the premises benefits from a premises licence, attach relevant conditions which are attached to that premises licence
 - Allow the event to take place
- 6.2 Members of the licensing sub-committee are asked to note that they may only attach conditions that are present on the premises licence and are relevant to the activities stated on the temporary event notice.

7 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy