

Report of the head of licensing and registration

Report to the licensing sub committee

Date: 30th July 2012

Subject: Licensing Act 2003

Slip Inn, Morley, Leeds 27 8DT

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Morley South	
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 informs Members of an agreement reached between West Yorkshire Police and the Premise Licence Holder following a Review under Section 51 of the Licensing Act 2003, of the Premise Licence in respect of the Slip Inn, Morley, Leeds LS27 8DT.

1.0 Purpose of this Report

1.1 To provide Members with an update as to the licence position for the Slip Inn and seek Members direction with regards to a condition appertaining to SIA registered door staff.

2.0 History of Premises

2.1 The premises have been licensed for a number of years. Prior to 2005 the premises held an alcohol licence issued by the Magistrates Court. This was duly converted to a Premises Licence under the Licensing Act 2003 when the Leeds City Council local authority took on their new role as licensing authority. The conversion application did attract representations but following a hearing before the Licensing Sub Committee the licence was granted subject to conditions. A copy of the Premises Licence may be found at Appendix A of this report.

2.2 The Premises has the benefit of a Premises Licence to allow licensable activities to take place as follows:

Sale by Retail of Alcohol Every Day	10.00 - 00:00
Performance of Recorded Music Every Day	10:00 – 00:00
Provision of Facilities for Making Music Every Day	10:00 – 00:00

2.3 The premises licence allows the premises to be open to the public during the Following times:

Every Day	10:00 – 00:30
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2.4 In August 2010 a complaint was received that a 17 year old minor was selling alcohol without supervision. A warning was sent to the designated premises supervisor and it was not necessary to take any further action on this occasion.

2.5 On the 5th January 2012 the West Yorkshire Police submitted a Review of the Premise Licence on the grounds of crime and disorder, public nuisance, public safety and protection of children from harm.

2.6 The review application was supported by local ward members who complained of drinking outside the premises creating nuisances, intimidation of passing residents, broken glass, and fighting.

2.7 A hearing was set for 1st March 2012 and documentary evidence to support the review on the grounds described above was supplied to members to consider.

2.8 After reading all the evidence before them and hearing evidence from the Police, local ward councilors and the licence holders, the sub-committee found that there was a series of problems at the premises which included selling to persons who were intoxicated, smoking in the premises and sales taking place after hours. The committee accepted and adopted the police submissions that the cause was weak management at the premises. The committee further considered imposing conditions but had no confidence the management would comply with any conditions imposed and therefore had no option but to revoke the licence.

2.9 The Applicant then appealed the decision to the Magistrates Court.

2.10 Subsequently the named designated premises supervisor passed away and an application was received on 16th March 2012 to transfer the premises licence from Benson to Scottish and Newcastle Pub (Management) Company and to appoint a new Designated Premises Supervisor.

3.0 Current Situation

- 3.1 As a consequence of the change in the management and operation of these premises the parties agree that revocation of the licence is no longer necessary to promote the licensing objectives.
- 3.2 Dialogue has been held between the police, licence holder and legal services and through a Consent Order a number of conditions have been agreed in substitution and in addition to those already set out in the premises licence.
- 3.3 A copy of the Consent Order may be found at Appendix 2.
- 3.4 Members will note the Consent Order requires 'The Licensing Sub-Committee to consider whether it is necessary to impose a condition requiring the employment of doorstaff, and if so, consideration also needs to be given to what days, hours and how many door staff should be employed.'

4.0 Recommendations

Members are requested to note the contents of this report and determine the matter as set out in paragraph 3.4 above.