

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 20th August 2012

Subject: Temporary event notice for Afro Diaspora, Unit 10, Shaftesbury Parade, Harehills Lane, Harehills, Leeds, LS9 6TA

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Burmantofts & Richmond Hill	
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:	10.4(7)	
These Appendices are regarded as exempt under provision of Paragraph 14 of the Licensing Act 2003 (Hearing Regulations 2005)		
Appendix number: D		

Summary of main issues

This report advises Members that a temporary event notice has been received and the West Yorkshire Police and the Environmental Protection Team have served objection notices on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

Members of the Licensing Sub Committee are asked to consider the temporary event notice and the objection notices.

1.0 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 objection notices from the West Yorkshire Police and the Environmental Protection Team.

2.0 History of Premises

- 2.1 The premise was formally known as the Starlight bar.
- 2.2 The premise has previously had the benefit of a premises licence, which was surrendered in March 2012 following unsuccessful applications to vary and transfer the licence respectively.
- 2.3 There have been no temporary event notices at the premises in the past 12 months.
- 2.4 Since September 2010 Entertainment Licensing Enforcement have dealt with several complaints from local residents alleging disturbance from loud music, nuisance from persons exiting the premises in the early hours of weekend mornings; the most recent complaint being received 4 July 2012.

On further investigation it would appear that the functions may well have been 'private parties' when attendees have brought their own drinks.

No formal action has been taken by the Entertainment Licensing Enforcement Section.

3.0 The Application

- 3.1 The proposed premises user is Mr Jean-Claude Dooh.
- 3.2 The location of the premises can be seen on the maps at Appendix A.
- 3.3 A copy of the temporary event notice is attached at Appendix B.
- 3.4 In summary the temporary event notice is for

The Sale by Retail of Alcohol

The Provision of Regulated Entertainment

The Provision of Late Night Refreshment

Sat 25th Aug 2012 into Sun 26th Aug 2012

14:00 – 06:00

Maximum capacity of the event: 150 people, alcohol to be consumed on the premises only

4.0 Other matters relevant to the application

4.1 The temporary event notice was applied for to facilitate an awareness and fund raising event for sickle cell anemia among minority and ethnical groups.

4.2 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.

4.3 Members of the Licensing Sub Committee must make decision with a view to the prevention of crime and disorder and the prevention of public nuisance.

5.0 Representations

5.1 West Yorkshire Police have received a copy of the notice. They consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the licensing objective of the prevention of crime and disorder and prevention of public nuisance. They have subsequently issued an objection notice.

5.2 Copies of the West Yorkshire Police objection notice are attached at Appendix C.

5.3 It should be noted that certain information submitted within the objection notice is potentially exempt from information under Access to Information Rule 10.4 (7) as it includes information relation to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. This information is contained within Appendix D.

5.4 Environmental Protection Team have received a copy of the notice. They consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the prevention of public nuisance and have issued an objection notice.

5.5 Copies of the Environmental Protection Teams objection notice are attached at Appendix E.

6.0 Options Available to Members

6.1 The Licensing Sub Committee must take such of the following steps as it considers necessary:

- Issue a counter notice against the event in order to prevent the event from taking place.
- Allow the event to take place

6.2 Members of the Licensing Sub Committee are asked to note that they may not restrict or attach conditions to the temporary event notice.

7.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties