

Licensing Sub-Committee

Tuesday, 5th November, 2024

PRESENT: Councillor L Martin in the Chair

Councillors N Buckley and S Holroyd-Case

1 Election of the Chair

RESOLVED – To elect Councillor Lisa Martin to the Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

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

3 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

4 Late Items

There were no formal late items. However, there was supplementary information in relation to Agenda Item 6 - Application for the Grant of a Premises Licence for Off Licence, 81 Roundhay Road, Leeds, LS8 5AQ

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Application for the Grant of a Premises Licence for Off Licence, 81 Roundhay Road, Leeds, LS8 5AQ

The report of the Chief Officer Elections and Regulatory set out an application for the grant of a premises licence made by Mr Yakob Tadese, for an Off Licence at 81, Roundhay Road, Leeds, LS8 5AQ.

Present at the meeting were:

- Mr Yakob Tadese – Applicant
- Mr Abiey Workie – Applicants Representative
- Susan Duckworth – objector – Entertainment Licensing
- PC Neil Haywood – Objector - West Yorkshire Police (WYP)
- Chetna Patel – Objector – Public Health
- Hughin Chari – Objector – Environmental Protection Team (EPT)
- Mekdelawit Wakob – Observer
- Yeti Wright – Observer
- Dom Mort – Journalist
- Alex Freeman – Politics Student, shadowing Cllr Martin

The Legal Officer set out the proceedings for the meeting.

The Principal Licensing Officer presented the application, highlighting the following points:

- It was noted that this matter had been due to be heard on 15th October 2024. However, prior to the start of the meeting a Member of the Sub-Committee was unable to attend. The officer objecting to the application on behalf of Entertainment Licensing did not agree to a quorum of two Sub-Committee Members and also referred to a lack of representation from West Yorkshire Police. Therefore, the matter had been adjourned.

- The applicant had reduced the hours originally applied for from 24 hours a day, 7 days a week, to 09:00 to 23:00 hours Monday to Sunday.
- The premises is located within an area covered by the Harehills and Burmantofts Cumulative Impact Policy and the application had attracted outright representations from Entertainment Licensing, the Environmental Protection Team, Public Health, and West Yorkshire Police.
- Mr Yakob Tadese was named as the applicant and proposed Designated Premises Supervisor.
- A redacted copy of the application was attached to the submitted report at Appendix A.
- Appendix B provided information on the applicant's proposals to promote the licensing objectives and the applicant had also provided information in support of his application, including a statement offering reduced hours, further measures to promote the licensing objectives and a petition expressing support for the application which was appended to the report at Appendix C.
- A map identifying the location of the premises was attached at Appendix D.
- Representations received from the responsible authorities were attached to the report as follows:
 - Leeds City Council's Entertainment Licensing – Appendix E
 - Leeds City Council's Environmental Protection Team – Appendix F
 - Leeds City Council's Public Health Service – Appendix G
 - West Yorkshire Police – Appendix H
- A copy of the Harehills and Burmantofts Cumulative Impact Policy was appended to the report for information at Appendix I.

Mr Workie the applicant's representative provided the following information for the Sub-Committee:

- Mr Tadese had offered to reduce the hours of operation from 24 hours, 7 days a week to address concerns raised by the responsible authorities.
- Mr Tadese was committed to upholding the licensing objectives. He has been running the business of a restaurant next door to the proposed premises for 9 years with no issues. He has been co-operating with the Police and the other responsible authorities and working with the local community.
- These premises would primarily be for a convenience store selling cooking ingredients for the community with the addition of selling alcohol and cigarettes etc.

Responding to questions from the Members, the Sub-Committee were provided with the following information:

- Mr Tadese was aware of the consequences of adhering to the licensing policy. Price wise alcohol would be sold at normal prices, and Mr Tadese was acceptable that profit margins would be low on alcohol and cigarettes, but he would be selling other products too.
- It was noted that the application for these premises in 2022 had been from a different applicant and Mr Tadese had no interest in that application. Mr Tadese was now the main applicant for these premises. Mr Tadese was aware of the illegal activities in the area, and he was willing to work with the authorities towards removing these illegal activities. His motivation for selling alcohol was to keep the business going.

- It was recognised that Mr Tadese had offered several measures to support his application but had not ticked the box in relation to not selling high strength beer, cider, lager and perry of 7.5% alcohol by volume or above. Mr Workie said that no beer etc would be sold of 7.5% or above.
- The information provided by the applicant included a signed petition in support of the application and had been signed by 15 people. It was the view that these premises were in Roundhay and therefore not within the Harehills and Burmantofts Cumulative Impact Policy (CIP) area. It was clarified that these premises fall within the Chapel Allerton and Chapeltown area which is in the CIP area.
- The Sub-Committee were informed that no sales of single units could be included in the conditions, and that alcohol was not the main part of income.

West Yorkshire Police representation included the following points:

- These premises are within the (CIP) area and Harehills has alcohol related issues and there are specific measures in place to address the issues. It was the view that the applicant had not demonstrated significant measures to satisfy the granting of a premises licence.
- Currently in this area there are 21 different off-licensed premises.
- The area is subject to a Public Space Protection Order (PSPO) to tackle anti-social behaviour, including street drinkers.
- It was noted that the application in 2022 had been prior to the CIP for the area, but it had been rejected as there were too many licensed premises already.
- These premises are on a main road in and out of Harehills and is a route used by children on their way to and from school.
- The Police had reviewed the offered measures and welcomed them but were of the view that they would not adequately address the issues in the area.

Responding to questions PC Haywood provided the Sub-Committee with the following information:

- Culturally this area is known for large groups to drink socially late into the night and on the streets. This causes public nuisance and people find it intimidating when having to walk past the large groups. These social events do continue through the day and night and alcohol is freely available.

Leeds City Council – Entertainment Licensing representation included:

- The CIP is in place and the onus is on the applicant to demonstrate that their premises will not add to the issues in the area. The Licensing Authority have set high standards for licensed premises.
- This area of Leeds has a large population of 16-year-olds and under, who are vulnerable.
- The area has number of large family groups whose culture is to socialise outside of their houses with parties going on for days, and their children are left to fend for themselves.
- The authorities and agencies have undertaken a lot of work in this area to address ongoing issues of street drinking, selling of illegal alcohol, cigarettes

and vapes. In the last year 9 premises licenses have been revoked due to illegal activity.

- This is a densely populated area with many residents living in back-to-back houses. The area has been designated as a Middle Layer Super Output Area (MSOA) and is ranked 25th highest out of the 107 MSOAs for potential alcohol related harm.
- It was noted that Cllr Arif, a Ward Councillor had provided information on the area, along with the ongoing work to address the issues this was in supplementary information which had been circulated to all parties.
- Entertainment Licensing acknowledged that the applicant had reduced the hours of operation and provided additional measures, and had since agreed not to sell beer, lager, cider and perry above 7.5%. However, the applicant had not offered a condition restricting the delivery of alcohol products to bonafide addresses.

It was noted that the premises were currently operating as a barber. It was the view of the officer that the applicant was not taking this application seriously.

Responding to questions the following information was provided:

- Mr Workie confirmed that Mr Tadese would be running both the convenience store and the restaurant next door, and he would be present when the premises was open. He would also have trained staff in the convenience store the same as he had in the restaurant.
- The Officer from Entertainment Licensing clarified that some of the large social gatherings could last between 36-hours and 72-hours, day and night, with no specific gender attending the gatherings.

Leeds City Council's Public Health Officer highlighted the following points from her representation to the Sub-Committee:

- There are several schools in proximity of the premises. The premises are also close to GIPSIL who provide support to vulnerable children, and they had provided a statement as part of the representation.
- There are a number of people not in education, employment or training and the area has low educational attainment.
- A health needs assessment was undertaken to ask how people like living in the area. It was noted that the assessment showed people living in the area had concerns in relation to alcohol related issues, anti-social behaviour, crime and fears for children growing up in the area.
- An initiative called Clear, Hold, Build is looking at the challenges faced in the area, particularly organised crime gangs, with a view to improving the area to make it safer. Partnership was also taking place with other agencies such as Touchstone who are helping to support and assist street drinkers in relation to housing and benefits.
- A doctor had provided a letter as part of the representation which highlighted the impact of issues around mental and physical health and safeguarding issues.
- The recent civil unrest in the area had impacted the lives of residents and specifically that of children.
- Public Health Services had concerns in relation to poverty, deprivation and the environment which have become worse since covid.

In response to questions the following information was provided:

- The financial cost to the public health service was not known, but the Members were informed that extra resources had been deployed to the area to assist with street drinkers. That deployment has drawn resources away from other areas.
- This is one of the most deprived areas of Leeds with poor health attributed to alcohol.

The Officer from the Environmental Protection Team highlighted concerns in relation to the flats above the premises. Residents living in them would be disturbed by noise especially if groups of people gathered near the premises. The applicant had not demonstrated how he would address this issue.

In summing up Mr Workie said that he and the applicant understand the concerns raised but Mr Tadese was willing to work with the responsible authorities to be part of the solution. He had worked with the Police for the last 9 years whilst running his current business. He would be happy to have extra measures added to the licence if it was granted.

Members discussions during private deliberations included their concerns in relation to how Mr Tadese would run both businesses given the long hours of both businesses.

RESOLVED – To refuse the premises licence.

7 Certification of Films – Leeds International Film Festival 2023

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub Committee Members of an application for the certification of a film titled, A Body Called Life, to be screened as part of Leeds International Film Festival on Friday 15th November 2024, at The Old Fire Station, Gipton Approach, Gipton LS9 6NL.

The Licensing Officer presented the application providing Member of the Sub-Committee with the following information:

- The screening of the film would take place on Friday 15th November 2024, at The Old Fire Station, Gipton Approach, Gipton LS9 6NL.
- A report detailing the film requesting certification, including a synopsis and the applicant's recommended rating, was appended to the report at Appendix A.
- To assist members with their deliberation officers of the Licensing Authority had viewed the film and provide comments in accordance with BBFC Guidance, this was attached to the submitted report at Appendix B.
- Details of the film including an advance screener was provided to the Licensing Sub Committee Members in advance of the hearing.
- It was noted that a representative was available on the phone should Members of Licensing Sub Committee have any questions.
- Member of the Sub-Committee had been provided with a link to the BBFC Guidance within the submitted report.

RESOLVED – To grant the film certification rating of 15 to ‘A Body Called Life’

8 Certification of Films – Leeds Palestinian Film Festival 2024

The report of the Chief Officer Elections and Regulatory was presented by the Principal Licensing Officer and advised the Licensing Sub Committee Members of an application for the certification of a number of films to be screened between 20th November 2024 and 6th December 2024 at Hyde Park Picture House LS6 1JD, Wheeler Hall LS2 8BE, Otley Courthouse LS21 3AN, Leeds Playhouse LS2 7UP, Heart LS6 3HN and The Civic Hall Banqueting Suite LS1 1UR.

The Principal Licensing Officer provided the following information:

- A list detailing the films requesting certification, including a synopsis and the applicant’s recommended rating, were appended to the submitted report at Appendix A.
- To assist Members with their deliberation officers of the Licensing Authority had viewed the films and provided comments in accordance with BBFC guidelines, their comments were attached at Appendix B.
- It was noted that in response to a briefing by the BBFC and advice sought from the council’s Legal Department, it is essential the Licensing Sub-Committee can view each film to rate it appropriately. In instances where films are unavailable, Members are advised to certify them 18 rating, subject to a written declaration from the applicant confirming that each film does not contain any content which would more likely than not, render the film liable to be classified as R18 if considered in accordance with the BBFC Classification Guidelines. Members were advised that the applicant had provided a disclaimer in relation to Flying Paper as no link could be provided for the screener.
- Details of the films including advance screeners had been provided to the Licensing Sub Committee Members in advance of the hearing.
- A representative of Leeds Palestinian Film Festival would be available via phone should the Sub-Committee Members have any questions.

RESOLVED – To grant the following certifications:

- Flying Paper – 18
- Where Olive Trees Weep – 15
- Wedding in Galilee – 15
- Yallah Gaza – 15
- Lyd – 15
- Generation Palestine – 15
- Not Just Black and White – 15
- Shattered Memory – 15
- Forages – 15
- Selfies – 15
- Hell’s Heaven – 15
- The Tale of Two Festivals – 15
- The Bride and the Dowry – 15

The meeting concluded at 11:40

