

Licensing Sub-Committee

Tuesday, 16th November, 2021

PRESENT: Councillor P Wray in the Chair

Councillors J Illingworth and J Lennox

1 Election of the Chair

RESOLVED – That Cllr Paul Wray be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against 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 late items.

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Review of the Premises Licence for Mama Mia Convenience Store Ltd, 274 Harehills Lane, Harehills, Leeds, LS9 7BD

The report of the Chief Officer Elections and Regulatory informed Members that West Yorkshire Trading Standards had served on the licensing authority an application under Section 51 of the Licensing Act 2003 for a review of a premises licence in respect of Mama Mia Convenience Store, 274 Harehills Lane, Harehills, Leeds, LS9 7BD.

In attendance at the meeting were:

- David Stover (Trading Standards) – review applicant
- Jason Bethell (Trading Standards) – witness on behalf of the review applicant
- David Mullins (Trading Standards) – observing
- Lisa Harrison (Trading Standards) – observing
- Duncan Craig (Citadel Chambers) – Barrister representing licence holder Mama Mia Convenience Store Ltd
- Ali Mohamad – Director of Mama Mia Convenience Store Ltd and proposed DPS
- PC Andy Clifford (West Yorkshire Police, Licensing) – responsible authority supporting the review application
- Sgt, Fred Winstler (West Yorkshire Police, Neighbourhood Policing) – responsible authority supporting the review application
- Carmel Brennand (Entertainment Licensing) – responsible authority supporting the review application
- Cllr Salma Arif – representing Gipton and Harehills Ward Members – in support of the application review.

The Committee had been made aware that the two applications to be heard related to the same premises at Mama Mia's Convenience Store and involved some common parties. To ensure all information that may be relevant to each item was with the committee before each decision was made, the committee proposed to hear both applications and the representations against each application before making a decision on either.

Prior to the start of the meeting the Licensing Authority and the Legal Adviser had been made aware that the premises licence holder Mr Mohamad's first language was not English, he had therefore requested a translator. However, given the short notice a translator was not available.

Mr Craig the representative for Mr Mohamad addressed the Licensing Sub Committee to advise them that he wished to adjourn the meeting until a translator could be present. He wished to ensure that his client was able to fully understand the proceedings.

The Licensing Sub Committee discussed the issue and were of the view that Mr Mohamad should be able to fully understand the proceedings and that a translator should be requested to attend to assist Mr Mohamad.

The Chair apologised for the inconvenience caused and requested that a date be set when the application could be heard.

The Licensing Officer suggested that the next available date would be 11th January 2022 at 10:00am.

RESOLVED – To adjourn the meeting until 11th January 2022, at 10:00am and that a translator be requested to attend.

7 Application to vary a premises licence held by Mama Mia Convenience Store Ltd, 274 Harehills Lane, Harehills, Leeds, LS9 7BD, to specify an individual as designated premises supervisor

The Chief Officer Elections and Regulatory submitted a report advising Members of an application to vary a premises licence held by Mama Mia Convenience Store Ltd, 274 Harehills Lane, Harehills, Leeds, LS9 7BD, to specify an individual as designated premises supervisor.

Licensing Sub Committee were aware that this application related to the previous item and were due to consider evidence for both applications prior to making a decision. However, the Members were advised that the applicant Mr Mohamad's first language was not English and that he had requested a translator.

The Licensing Sub Committee were of the view that this application should be adjourned, to allow a translator to be requested for Mr Mohamed to fully understand and engage in the proceedings.

RESOLVED – To adjourn the meeting until 11th January 2022, at 10:00am and that a translator be requested to attend.

