

Licensing Sub-Committee

Monday, 10th January, 2022

PRESENT: Councillor A Hutchison in the Chair

Councillors H Bithell and L Richards

1 Election of the Chair

RESOLVED – Councillor A Hutchison was elected as Chair for the hearings.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

Supplementary information was submitted with regard to Agenda Item 6, Certification of Films – Indis Film Festival.

There was a late item of business – Temporary Event Notice for Halton Moor Boxing Club, Cartmel Drive, Halton, Leeds.

5 Declaration of Interests

There were no declarations.

6 Certification of Films - INDIs Film Festival

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of 10 films to be shown at the Carriageworks Theatre, Millennium Square, Leeds on behalf of the INDIs Film Festival. The exhibition of the films was due to take place on Friday, 18 February and Sunday, 20 February 2020.

A supplement to the Agenda provided a synopsis of the films to be shown and also comments from officers who had viewed the films. Members had been sent links to view the films prior to the meeting.

Martin Grund, the producer for the festival attended the hearing. He informed the sub-committee that the festival was an industry focussed event for young and upcoming talent and the films were mainly aimed at the 15 to 30 year old age group.

The sub-committee did not raise any concerns with regard to the films to be shown and the suggested classifications.

RESOLVED – That the application be approved with the recommended classifications as outlined in the report.

7 Application for the grant of a premises licence for Halton News, 5 Irwin Approach, Halton, Leeds, LS15 0DW

This application was withdrawn prior to the hearing.

8 Temporary Event Notice for Halton Moor Amateur Boxing Club, Cartmell Drive, Halton, Leeds, LS15 0DE

The report of the Chief Officer, Elections and Regulatory presented an objection notice from West Yorkshire Police to two temporary event notices that had been submitted for Halton Moor Amateur Boxing Club, Cartmell Drive, Halton, Leeds. The objection notice had been submitted on the grounds of the prevention of crime and disorder and the public safety licensing objectives.

The following were in attendance:

PC Andy Clifford – West Yorkshire Police
Rachel Radbourne – Club Secretary, Halton Moor Amateur Boxing Club
Kim Lee – Solicitor, representing Halton Moor Amateur Boxing Club

The legal officer outlined the procedure to be followed.

Prior to the hearing commencing, attention was brought to supplementary information that had been submitted on behalf of Halton Moor Amateur Boxing Club on the evening of the Friday before the hearing.

The police representative asked the Sub-Committee whether the hearing could go into private session during his presentation under the Licensing Act regulations as there was information that was not within the public interest to be discussed. This was due to an ongoing criminal investigation and information not being public knowledge.

The licensing officer presented the report. Two Temporary Event Notices had been applied for to allow for the sale of alcohol, regulated entertainment and late night refreshment on 19 March and 2 May 2022 until 03:00. Objections had been received from West Yorkshire Police on the grounds of public safety and the prevention of crime and disorder due to an incident that was, according to the police, connected to a previous event held at the premises. The premises did have a premises licence for the sale of alcohol till 00:00 and entertainment until 23:00 but this was currently suspended due to non-payment.

The police representative was invited to address the Sub-Committee. He reported that the police had applied for a counter notice due to crime and disorder that had occurred following a similar event at the premises in October 2021. He told the Sub-Committee that an incident had occurred in the premises where the victims were in attendance and there were issues with drunkenness according to the victims. An initial assault took place within the venue and carried on a short distance outside where a more serious assault took place.

Although there had been some co-operation from the Club Secretary there had not been any information provided that was helpful to the investigations, the detectives investigating the case had spoken to the Club Secretary on a number of occasions, explaining the severity of the assaults and it was suspected that individuals involved with the event at the premises were also involved in the assaults.

The club had acknowledged that it may be possible that people in attendance were involved in the assaults but that there were also other licensed premises in the area that were open. The club had not been willing to give information of anyone in attendance due to data protection and said that that they had assisted as much as possible.

According to the police, the case had become protracted due to the lack of assistance from the club. Names of people in attendance had not been given and neither had details of the security firm or security staff working on the night of the incident. It was unusual for a premises not to give these kind of details to the police and it was felt that there was no effort being made by the club to uphold the licensing objectives. In the view of the police, it was not felt that a safe event could be held at the venue.

Representatives of Halton Moor Amateur Boxing Club were asked to address the Sub-Committee. The Sub-Committee was informed that the club was a vital community resource with a multi-cultural membership from all areas of Leeds. There was very little else in the area and the club worked with the Youth Service, Armed Forces and had the support of local Councillors.

The Temporary Event Notices for the amateur boxing shows were held on 3 or 4 occasions per year and the events were affiliated with England Boxing. The shows were important for the club's participants and to raise funds to keep the club in business.

There had not been any previous incidents with crime and disorder at any events at the club and events were strictly supervised with wristband only entry. There had been no issues during the event in October. Three intoxicated males had arrived after the event and were refused service. No assaults were witnessed inside or immediately outside the premises. There had been co-operation with the police with the offer of a meeting with the secretary having been put forward by the Club's solicitor.

Temporary Event Notices at the premises had been held successfully since 2018. There had not been any reported or recorded issues inside or immediately outside the premises associated with club members. It was not accepted that the incident in October had commenced inside the club. There had been another event in December 2021 which Mr Lee said had been granted permission on 30 October 2021. There had been no police objection to this event.

There had been considerable communication between the club and the police regarding the incident in October. The club had written to the detective in charge of the case offering to meet and submit a statement but had not yet received a response.

In summary the sub-committee was told that the club was a valuable community asset and without the income from the events it could fold. It was supported by help from volunteers and enabled the participation of young people from low income families. There had never been any problems at the events held and the premises had recently had an enhanced CCTV system installed.

Prior to the police summary, PC Clifford was asked whether the remainder of his presentation could be done without causing prejudice to any ongoing investigations. He repeated his request for this part of the hearing to be held in private. This request was objected to by the representatives of Halton Moor Amateur Boxing Club and the Sub-Committee adjourned to consider the parties' submissions on this point and to take further legal advice.

Following the adjournment it was:

RESOLVED – That the public be excluded from part of the meeting in accordance with the Council's Access to Information Procedure Rules, paragraph 10.4 (7), on the grounds that information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime may be discussed and that it was considered that the public interest in maintaining this exemption outweighed the public interest in disclosing this information at this point in time.

Following the discussion in private session, all parties were invited back for questions from the Sub-Committee. The following was discussed:

- The police had not objected to the event held on 18 December 2021 as at the time of the application it was not known that the incident in October 2021 was connected with the club and investigations were at an early stage, one of the victims having initially been unable to speak to police due to his injuries.
- The victim's account differed to that of the club. The victim stated that they could not get a drink as they could not pay by cash.
- The club secretary explained the security arrangements and the positioning of security staff within the premises. The event had finished by the time the victims had arrived and by then security staff had left. The front doors should have been locked. There was at least an hour between the victims leaving the premises and the incident taking place. The premises were locked as they were asked to leave. Music was still playing inside the premises while staff were clearing up.
- The enhanced CCTV would cover the entire indoor areas of the premises and the car park. Placement of security staff would be reconsidered for future events and they would be asked to remain until everyone else had left the premises.
- The club would be willing to contact the police should there be a need for any assistance.
- The club had not been overtly obstructive in the investigations but had also not provided any assistance.
- The main victim of the incident was of good character and had received potentially life changing injuries.
- The CCTV footage that had been made available to the police had come from a nearby property. There had not been any CCTV footage received from the club.
- The club was run by volunteers and held coaching sessions on an evening for young people and adults.
- When events were held there would be between 12 and 18 bouts and these would include participants from the club and other clubs.

- Alcohol was only available at events and was only served in cans or plastic cups. There were no bottles or glasses.
- Sale of alcohol accounted for 35-40% of profits made.
- The capacity of the premises was 500. Events usually attracted around 350 people.
- The club became aware of the incident following a post on social media.
- The club stated that the victim had left the premises some time between 11.30 p.m. and midnight. The bar was closed just after midnight. The only people left at the premises were the club volunteers and the DJ and they had all gone by 00.15 a.m.
- Volunteers of the club did not want their details passing on to the police. They all lived locally and there was a fear of repercussions and distrust of the police.
- The time of the assault was approximately 01:00.
- The Temporary Event Notices were requested until 03:00 to allow for the events to over run. They would normally be finished for midnight.
- The ability to sell alcohol attracted people to the events. People were not allowed to bring their own and security staff had confiscated alcohol previously including glass bottles.

In conclusion, the police representative informed the Sub-Committee that the investigation into the incident following the incidents in October 2021 had become protracted. A number of the people involved in the incident may have been linked to the premises and the club had responsibility for attendees at the venue and in the immediate area. The victim had stated that the premises were busy upon his arrival and it was not believed the club could operate events safely and the fact that people were fearful of repercussions was of concern as it appeared that they would not assist investigations if there were incidents in future.

The Sub-Committee went into private session to make their deliberations.

The Licensing Sub-Committee carefully considered the report of the Chief Officer (Elections and Regulatory), the Statement of Licensing Policy and the representations made at the hearing.

RESOLVED – that a counter notice be issued in respect of both events.