

Licensing Sub-Committee

Tuesday, 28th June, 2022

PRESENT: Councillor L Richards in the Chair

Councillors J Illingworth and A Smart

1 Election of the Chair

RESOLVED – To elect Councillor L Richards as Chair throughout the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

4 Late Items

A formal late item was published and circulated to Sub-Committee Members prior to the meeting, regarding a temporary event notice for Halton Moor Amateur Boxing Club, Halton Moor, Cartmell Drive, Halton, Leeds, LS15 0DE. Minute No.7 refers.

5 Declaration of Interests

No interests were raised at the meeting.

6 Certification of Films – ‘We Are Mountains’ by Hyde Park Picture House

The report of the Chief Officer (Elections and Regulatory) set out an application for the certification of a film to be screened at The Pyramid Theatre, Leeds University Union, Leeds, LS2.

The screening is scheduled to take place on the 21st July 2022. The applicant provided an advance screener for the film and recommended a 12A certificate in respect of the film titled, ‘We Are Mountains’.

It was noted that the promoter’s assessment of the film was accurate and there were no concerns with a 12a rating for this film in accordance with the BBFC guidelines.

The following were in attendance for this item:

- Rob Barham (Applicant)

The Legal Officer outlined the procedure to be followed.

In response to a question from a member, it was confirmed that it was unlikely people under the age of 12 will be attending, primarily due to the location of the venue.

RESOLVED - To grant the application ‘We Are Mountains’ as 12a as applied for.

7 Temporary event notice for Halton Moor Amateur Boxing Club Halton Moor Amateur Boxing Club, Cartmell Drive, Halton, Leeds, LS15 0DE

The report of the Chief Officer (Elections and Regulatory) advised Members of a temporary event notice (TEN) which has been received by the Licensing Authority in respect of an event at Halton Moor Amateur Boxing Club, Cartmell Drive, Halton, Leeds, LS15 0DE.

The notice has been submitted to authorise licensable activities during a contact sport event.

West Yorkshire Police served an objection notice to the TEN on the grounds of prevention of Crime and Disorder.

In summary, the application sought licensable activities for sale by retail of alcohol, provision of regulated entertainment and provision of late-night refreshment from 12:00 hours on the 17th of September 2022 until 1:00 hours on the 18th of September 2022. It was noted that the maximum capacity of the event is 400.

The following were in attendance for this item:

- PC Andy Clifford (West Yorkshire Police)

The Legal Officer set out the procedure to be followed and the Licensing Officer outlined the application.

It was noted that since April 2018, the licence is currently suspended due to non-payment of the annual fee.

The applicant was not in attendance at the hearing.

PC Clifford addressed the Sub-Committee and explained the main reason behind his representation, related to an event held on 17th October 2021. The incident related to attacks on two males that had visited the club. The males were denied alcohol due to not being able to pay in cash and could only pay by card. The males were then assaulted inside of the club. One of the males left their car and house keys inside the club, to which he later returned to retrieve his keys and was again assaulted. The injuries sustained led to hospital attention. It was believed that the suspects are linked to the operations of the club and following the attacks, the operators of the premises have been unwilling to co-operate with the police in terms of providing names and contact details of attendees and it is sensed that there is fear of reprisals amongst the attendees if they are seen to be helping the police.

Further to the event on 17th October 2021, a female was assaulted outside of her home whilst trying to help her partner who was assaulted. A car window had also been damaged by a folding chair that apparently came from the premises in question. The chair was collected from the scene, and footage of this has been captured on CCTV.

PC Clifford explained that he did not previously object to the TEN for the event in December 2021 as the victim was not well enough to be interviewed when the TEN was served in October for the December event. It was believed that the victims of the

assault are not being dishonest and are described as good people in the local community. Finally, PC Clifford confirmed that the club has not done anything to assist nor take responsibility for what has happened.

In response to questions from Sub-Committee Members, the following was confirmed:

- Suspects have been arrested and released under investigation in relation to the assault, but no charges have been made as of yet.
- The victims felt that the mood of the club changed once they spoke in Polish, but do not entirely believe that this is the reason behind the assault.
- There has been no willingness from the club to assist the police in the ongoing investigation.
- The club has previously mentioned installing CCTV but have not actioned this to date.

In summarising, PC Clifford asked the Sub-Committee to consider upholding the licensing objective of the prevention of crime and disorder. PC Clifford explained that the club has presented that crime and disorder is linked to the club and they are unwilling to work with the police. It was believed that even if the club installed CCTV, there would be no faith that the police will be able to gain access to footage in the future.

The Chair concluded the open session of the hearing before the Sub-Committee went into private session to make their decision.

The Licensing Sub-Committee carefully considered the report of the Chief Officer (Elections and Regulatory) and the representations submitted and made at the hearing. Therefore, it was

RESOLVED – To issue a counter notice against the event to prevent the event from taking place.

8 Application for the grant of a premises licence for Off Licence 15B Middleton Park Circus, Middleton, Leeds, LS10 4LX

The report of the Chief Officer (Elections and Regulatory) set out an application for the grant of a premises licence, made by Ms Roielle Morris, for Off Licence 15B Middleton Park Circus, Middleton, Leeds, LS10 4LX.

The following were in attendance for this item:

- Roielle Morris, Premises Manager
- Saman Fakhri, Premises Owner

In summary, the application proposes sale of alcohol Monday – Saturday 09:00 until 22:30 and Sunday 11:00 until 22:30.

Representations have been received from West Yorkshire Police (WYP) in their capacity as a responsible authority, and two members of the public. The operating schedule has been amended to include measures agreed with WYP.

The Premises Manager addressed the Sub-Committee and explained that the premises will offer a range of cuisines for the local community, including Middle

Eastern, Asian, and other European countries. It was mentioned that whilst the shop intended to offer alcohol, the premises will primarily be food orientated. Further points highlighted included:

- The premises will have CCTV, and there are shutters as well as a metal gate being installed at the back of the premises during closing hours.
- Nobody under the age of 18 will be allowed inside the premises.
- Challenge 21 will be enforced.
- There will be no obstructions for patrons entering / exiting the premises.
- Fire and risk assessments have been undertaken.
- The Premises Manager has successfully obtained her SIA badge as well as receiving her personal licence.
- The Premises Manager has previously managed Silks Gentlemen Club and has experience between the ages of 18-22.
- The owner has found it difficult within his community with the food and drinks that are available and wishes to offer a variety of cuisines.

In response to questions from Sub-Committee Members, the following was confirmed:

- There will be 1 fridge, 4 metres long that will be devoted to drinks in the premises and the layout of the shop promotes food provision.
- Due to previous experience, the manager understands the importance of implementing CCTV.
- Measures suggested by the police have been agreed and conversations will be had with the police in due course.
- There will be 3 people working in the shop, and it will primarily be a family run business. The manager explained that she has already expressed the importance to the owner of undertaking training around fire safety.
- Patrons under the age of 18 are unable to enter the shop, unless supervised by an adult.
- Further to comments made about engagement, members encouraged the manager and owner to reassure neighbours on the emphasis of a food led shop. It was acknowledged that this will be a positive statement for neighbours to hear.

The Chair concluded the open session of the hearing before the Sub-Committee went into private session to make their decision. All parties were informed that the decision would be sent within 5 working days.

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

RESOLVED – To grant the licence as applied for.