

## **Licensing Sub-Committee**

**Tuesday, 22nd November, 2022**

**PRESENT:** Councillor A Hutchison in the Chair

Councillors S Hamilton and L Richards

### **1 Election of the Chair**

**RESOLVED:** To elect Councillor Hutchison 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 Certification of Film – ‘A Door to the Sky’ by Hyde Park Picture House**

The report of the Chief Officer Elections and Regulatory advised the committee of an application for the certification of a film, ‘Door to the Sky’, to be screened at the Pyramid Theatre, Leeds University Union, Lifton Place, Leeds, LS2 9J on 28th November 2022.

Mr Robb Barham, Operations and Programmes Manager of Hyde Park Picture House, was in attendance.

A copy of the current BBFC Classification Guidelines was made available to Members, as well as access to the film ahead of the hearing.

The legal officer outlined the procedure.

Mr Barham supplied the context of the application to the Licensing Sub Committee and explained the film is a part of a programme of women’s films from the Global South.

The Licensing Sub Committee had no further questions for the applicant.

**RESOLVED:** That the film ‘Door to the Sky’ be certified as a 12A.

### **7 Application to Vary a Premises Licence of Crispy Fish And Pizza Ltd**

The Committee received the report of the Chief Officer Elections and Regulatory regarding the application to vary the premises licence held by Crispy Fish and Pizza Ltd, at 12 Headingley Lane, Headingley, Leeds, LS6 2AS.

In attendance were;

- Mr Nazar Sadiq, applicant's representative
- Mr David Spereall, journalist

The legal officer outlined the procedure.

Entertainment Licensing set out the application, which was to extend Late Night Refreshment by one additional hour, Monday to Saturday, terminating at 5am.

The premises currently has the benefit of a premises licence for the activity of late-night refreshment between the hours of 23:00 and 04:00 Monday to Saturday and 23:00 until 02:00 on Sunday.

Ahead of the hearing West Yorkshire Police had made a representation opposing the application. However, this was withdrawn after an agreement was reached with the applicant and measures were incorporated into the operating schedule. In addition to this, four written representations on behalf of other persons had been received.

The Committee clarified the current opening hours of the premises with Mr Sadiq, and the business plans of the applicant.

Mr Sadiq outlined the two main reasons why the premises would like to extend their hours:

1. Closing at 4am causes their customers to become aggressive; and
2. Opening later would increase sales.

The impact of the proposed opening hours on anti-social behaviour was discussed. Mr Sadiq outlined the applicant's view that disorder could occur at any time during the current opening hours, therefore that risk would not be increased with an extra hour opening time. Sub-Committee members put several questions to Mr Sadiq regarding issues raised in the written representations, including antisocial behaviour, littering and noise levels.

In response Mr Sadiq told the Sub-Committee that the applicant did not feel that an extra hour of opening would negatively affect neighbouring residents as these issues would also happen during current opening times.

The other reason the applicant wished to extend the business hours was to generate more income due to increased costs for the business.

Mr Sadiq told the hearing that the premises had collected between 50 and 100 signatures on a petition to extend the opening hours. The Sub-Committee advised Mr Sadiq that this could not be taken into consideration, as it had not been submitted to the Licensing Authority within the statutory notice period.

The Committee asked Mr Sadiq about the environmental impact of the business on the area, and how the applicant intended to mitigate this. Mr Sadiq explained the applicant's view that the cleanliness of the street was not their responsibility, however if a bin was required it can be provided.

Members considered all the information contained within the agenda pack and presented to them during the meeting. Their discussions included:

- The impact of an extra hour on anti-social behaviour and noise nuisance; and
- The impact on the environment from litter as a result of the business.

The Sub Committee deliberated in private and in reaching its decision, considered the report of the Head of Elections, Licensing and Registration, including the written representations opposing the application. The Sub Committee also had regard to the relevant provisions of the Licensing Act 2003, the Guidance issued under Section 182 of the Act and Leeds City Council's Statement of Licensing Policy. The Sub Committee also considered the oral representations, contributions, and explanations from the applicant's representative.

**RESOLVED:** To refuse the application to vary the premises licence.