

Licensing Sub-Committee

Tuesday, 1st November, 2022

PRESENT: Councillor J Gibson in the Chair

Councillors S Hamilton and L Richards

1 Election of the Chair

RESOLVED – To elect Councillor Gibson 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 Films – Farewell Mister Haffmann and Perfect Strangers

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub Committee of an application for the certification of two films titled, 'Farewell Mister Haffman' and 'Perfect Strangers'. The certification had been requested on behalf of UK Jewish Film. The screenings are scheduled to take place on the 13th and 22nd November 2022, at Everyman Cinema, 412 Trinity Leeds Albion Street, Leeds, LS1 5AY.

The exhibitor was unable to provide advance screeners for each film. A copy of the current BBFC Classification Guidelines was made available to Members.

In instances where films are unavailable to view, 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. Information on this element was detailed at 3.2 of the report.

A document providing details on each film and screening, including the synopses, was appended to the report at Appendix B.

RESOLVED – To award the certification of 18 rating for each film.

7 Certification of a Film – Leeds International Film 2022

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub Committee Members of an application for the certification of a number of films to be shown as part of Leeds International Film Festival 2022. The screenings are

scheduled to take place between 3rd and 17th November 2022 at Vue Cinema in the Light Cinema, Everyman Cinema, Howard Assembly Room, Cottage Road Cinema, School of Arts Cinema at Leeds Beckett University and one special event at Jumbo Records.

In attendance at the meeting were:

- Chris Fell – on behalf of Leeds International Film Festival
- Alex King – on behalf of Leeds International Film Festival

Of the films requiring certification the applicant had supplied links to view 5 films only, requesting classifications ranging from 12A to 15. The title of each film, including synopses and recommended ratings, was provided to the Licensing Sub Committee at Paragraph 3.5 of the submitted report.

Following legal advice, Members were recommended to certify the films they cannot view as category 18 ratings and further information on this matter was detailed at 3.2 of the report. A document listing the films without the availability to view them was attached to the submitted report at Appendix A.

To assist members with their deliberation officers of the Licensing Authority had viewed each available film and provided comments in accordance with BBFC guidelines as a supplementary item.

Members were informed that this would be the 36th Leeds International Film Festival and would be screening 110 films at various locations around the city. The majority of the films would be rated 18, however there were 5 films which required Member's consideration for a lower rating. The festival wished to show a special season of African films aimed at younger audiences.

Responding to questions the Licensing Sub Committee were informed that during Covid the festival had been held in a hybrid format and it was intended that the streaming of some films would continue. The festival was under budget pressures and not able to use two venues (Hyde Park Cinema and the Town Hall), due to them being refurbished. Members were advised that to view the hybrid films a user has to confirm they are 18+ by entering their date of birth when creating an account on the website.

Members noted that the festival would still be offering discounts to the film for those under 26 years of age.

Members welcomed the Leeds International Film Festival back to the city and wished them success.

RESOLVED – To certify the films to be screened as follows:

Above Water – rating 12A

Fig Tree – rating 15

Rookies – rating 15

The Star Wars Kid – rating 12A

Youth – rating 12A

Rating 18 to be given to the follow:

A Piece of Sky

Aftersun

Alcarràs

All the Beauty and the Bloodshed

America

Anime Supremacy!

Art and Neurodiversity with Project Art Works

Baby Pyramid

Better Mus' Come

Blind Willow, Sleeping Woman

Blue Jean

Bones & All

Brief Encounters

British Short Film Competition 1: Survival Instincts

British Short Film Competition 2: Always on My Mind

Broker

Can We Say This Out Loud?: Documentary Shorts Panorama

Close

Confession

Corsage

De Humani Corporis Fabrica

Dead Mint

Dust and Metal

Eat Your Catfish

Enys Men

Eo

Everybody Loves Jeanne

Fanomenon Horror and Science Fiction Shorts

Fast & Feel Love

Films Femmes Afrique Shorts: A Sense of Home

Finite: The Climate of Change

Freda

Geographies of Solitude

God Said Give 'Em Drum Machines

Godland

Goliath: Immersive Networks Virtual Reality Event

Goodbye, Dong Glee!

Hello, Bookstore

Holy Spider

Huesera

I Didn't See You There

I Have Electric Dreams

Incredible But True

International Short Film Competition 1: Catch A Fire

International Short Film Competition 2: Smoke On the Water

International Short Film Competition 3: In The Air Tonight

International Short Film Competition 4: Not To Touch The Earth

Jamaican Short Film Programme

Joyland

Final minutes

Karaoke
La Pietà
Leeds Short Film Awards 2022: The Winners
Love Dog
Love Life
Loving Highsmith
Mafifa
Matter Out of Place
Mediterranean Fever
Medusa Deluxe
Metronom
Music Video Competition
My Imaginary Country
My Small Land
Myanmar Diaries
Neptune Frost
New Normal Six
Next Sohee
NightMare
No Bears
No Simple Way Home
One Take Grace
Pacifiction
Pamfir
Project Wolf Hunting
Queer Short Film Competition 1
Queer Short Film Competition 2
Return to Seoul
Rewind and Play + Let's
Rodeo
Sadako DX
Screendance Competition
Shove It: The Xero Slingsby Story
Sick Of Myself
Sisu
Stephen
Dwoskin: Face of Our Fear + Panel
The Blind Man Who Did Not Want to See Titanic
The Blue Caftan
The Computer Accent
The Fifth Thoracic Vertebra + Cashbag
The Hamlet Syndrome
The Harbinger + Theatre
The Kegelstatt Trio
The Novelist's Film
The Plains
The Uncle
Thunder Swiss
Tommy Guns
Tori and Lokita

Final minutes

Under the FigTrees
Unicorn Wars
Vera
Viking
We Might as Well Be Dead
World Animation Competition 1
World Animation Competition 2
Yorkshire Short Film Competition
Zuhal

8 Application for the Grant of a Premises Licence for Leeds Culture Trust, Headingley Rugby Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR

The report of the Chief Officer Elections and Regulatory advised Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new premises licence in respect of an application for the grant of a premises licence for Leeds Culture Trust, Headingley Rugby Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR

In attendance at the meeting were:

- Matthew Phipps – Applicants Representative
- Thomas Reilly – Director of Production
- Hector Macpherson Brown – Event Manager and DPS
- Chris Ansell – Head of Creative Learning and Engagement

The Licensing Officer presented the application, providing the following information:

- Headingley Stadium has the benefit of a number of premises licences which are in situ to cover live events, specific stands, terraces and pavilions within the stadium.
- This application related to the premises known as the rugby stadium and included the rugby pitch and all four stands which sit within the rugby stadium at Headingley Stadium. A charity called Leeds Culture Trust, who wishes to use the Stadium for a one day event, are celebrating all the cultural aspects that make Leeds a brilliant city. Leeds Culture Trust sought a licence for single use to facilitate the delivery of the event.
- The main activity would be taking place on a specially commissioned stage, mounted on the Western Terrace of the Stadium. Audiences would be seated in the North, South and East stands, as well as standing on the pitch.
- The application was for a time limited operating schedule of 10 days between the 5th and 16th January 2023, to be used on one day only on either a Thursday, Friday, Saturday or Sunday during the schedule. This is a contingency measure in the instance that the event is required to be moved at short notice due to external factors, i.e. adverse weather conditions.
- The proposed designated premises supervisor is Hector Macpherson Brown.
- The application is for:
 - Sale of alcohol, performance of a play, exhibition of a film, live music, recorded music, performance of dance and entertainment of a similar description to these activities.
 - Thursday, Friday, Saturday or Sunday – 15:00 until 21:00

- The applicant's intention is to deliver the event in the afternoon/early evening, on Saturday 7th January 2023. It is envisaged that the main show of the event would last no more than 120 minutes. A redacted version of the application had been appended to the submitted report at Appendix A.
- The applicant proposed to promote the licensing objectives by taking the steps identified in both section M of the application form and the completed pro-forma risk assessment attached at Appendix B of the report.
- A map identifying the location of the premises was attached to the report at Appendix C.
- There had been no representations from the responsible authorities. However, the application had attracted a representation from a member of the public opposed to the application on the grounds of public nuisance. A redacted copy of the representation was attached at Appendix D of the report.
- A list of premises in the local area and their licensed hours and activities was provided at Appendix E of the submitted report.

Mr Phipps provided the following information to support the application:

- This was an application for a single time limited event to be held at Headingley Stadium for the opening ceremony 'The Awakening' for the Leeds Year of Culture 2023. This was to start the celebrations which included 12 large events to be hosted in the city through 2023.
- This event proposed a stage on the Western Terrace to show a variety of acts, including music and dance.
- The application proposed that the event was to be held on 7th January 2023. However, due to the time of year and considering weather conditions the application requested a 10 day permission should the event not be able to go ahead on the 7th January 2023. It was noted that this event would only be for 1 day starting at 3pm and finishing at 9pm with 30 minutes drinking up time. It was proposed that the acts would be on stage between 5pm and 7pm only.
- This event was to be a free family event, but it would be ticketed. Tickets would be made available to those who submitted a piece of artwork.
- Engagement had taken place with West Yorkshire Police, it was noted that crowd management and risk assessments had been provided and accepted. It was noted that rigorous checks had been applied including the Check 25 proof of age scheme. Members were also advised that all children attending would need to be accompanied by an adult. Members noted that this was not a concert, so there would not be continuous music and that a complaints line was to be offered between 5pm and 7pm. It was not proposed that the floodlights be used for the event.
- The application had also taken into consideration parking and taxi drop off and pick up. Members were advised that there would be shuttlebuses to the event from the city centre.
- Members noted that communication had been attempted with the single objector to the application, but no response had been received. Consultation had also taken place with the responsible authorities, the local ward councillors and at community events.
- Members were advised that the event management plan was comprehensive and went above and beyond addressing all issues.

In response to questions from Members the Licensing Sub Committee were provided with the following information:

- Consultation was to take place with residents living near the stadium on two dates 4 weeks apart. The first would look at the concerns of the residents and the second provide information to the residents on how the concerns raised were to be addressed.
- The shuttlebuses would be provided by first bus and liaison with them was still ongoing as to the drop off point. The shuttlebuses would be from the city centre. However, Members suggested that the shuttlebuses should also be provided from the areas around the city centre to avoid people travelling into the centre especially by car to get on them. People wishing to use the shuttlebuses would be provided with a link on their tickets as to where they could get on.
- A coning plan similar to that used for the Warrington fight would be used for people wishing to travel by car and the event organisers were liaising with taxi companies as to pick up and drop off points.
- The submission for the pieces of art was proposed to be inclusive and could take the form of bakes, paintings, drawings, sculptures etc. It was proposed that these would be digital and could be shown at other events throughout the year. The submissions would also be on view at the stadium during the 'Awakening' event. It was hoped that they would also form part of the archive of the events from throughout the year.
- Members were advised that the length of the event until 9pm was in case there were delays to any of the acts due to weather conditions.
- The stadium can hold 19,999, it was the aspiration of the organisers to attract around 15,000 people to the event. It was noted that this was in line with current safety certificate for the stadium.

The Members considered all the information presented to them on the day and the information provided to them as part of the report including concerns of the objector.

RESOLVED – To grant as applied for.

9 Application for the grant of a premises licence for 152 Town Street, Leeds, LS12 3RF

The report of the Chief Officer Elections and Regulatory requested the consideration of Members for an application for the grant of a premises licence made by Joanne Salieh Ibrahim, for 152 Town Street, Armley, Leeds, LS12 3RF.

In attendance for the meeting were:

- Joanne Salieh Ibrahim – Applicant
- Shoki Ali Omar – Designated Premises Supervisor
- Nick Semper – Applicant's Representative
- Councillor Louisa Cunningham – Objector
- Ibrar Khan – Objector
- Nigel Harris – Objector
- Amjid Razak – Objector
- Adal Razak – Objector
- William Cann – Observer

- Phillip Clark - Observer

The Legal Officer outlined the procedure for the meeting.

The Licensing Officer presented the application providing the following information:

- The applicant's name was Joanne Salieh Ibrahim.
- The proposed designated premises supervisor was Shoki Ali Omar.
- The application was for Sale of Alcohol, Monday to Sunday, 07:00 – 23:00 (for consumption off the premises). A redacted version of the application had been appended to the report at Appendix A. The applicant proposed to promote the licensing objectives by taking the steps identified in Section 18 of the application.
- A map identifying the location of the premises was attached at Appendix B of the submitted report.
- Representations had been received from West Yorkshire Police in their capacity as a responsible authority. Members were advised that representations can be negotiated prior to the hearing and in this instance the operating schedule had been amended to include the measures agreed with West Yorkshire Police. A copy of the representation and agreement was attached to the submitted report at Appendix C.
- The application had also attracted representations from other persons, including a representation from a Local Ward Councillor, 6 representations from members of the public and a petition containing thirty-five signatures, all of which oppose the application on the grounds of public nuisance and crime and disorder. Redacted copies of the representations were attached at Appendix D.
- A list of premises in the local area and their licensed hours and activities was provided at Appendix E of the report.

Mr Semper addressed the Licensing Sub Committee providing the following information:

- This is a small convenience store selling eastern and middle eastern foods.
- The applicant and her family live in Wakefield and currently have a business in Bradford which sells alcohol. It was noted that the business in Bradford had no issues. The applicant wishes to run this store as an off licence in Armley as it would be closer to their home in Wakefield and would assist with the children being dropped off and picked up from school. The store would be run by the applicant with her husband as the proposed DPS.
- It was noted that West Yorkshire Police had sent in a representation but with negotiation, the representation had been withdrawn. No other representations had been received from other responsible authorities.
- Mr Semper advised the Members that he had used the Leeds Observatory to gain evidence that the crime and anti-social behaviour in the area of the store was low and provided the statistics as evidence.
- Mr Semper recognised that parts of Armley had a Cumulative Impact Assessment (CIA) in place as addressed in Cllr Cunningham's representation. However, on the map provided it indicated that the store fell outside the boundary for the CIA. In his opinion the fact there was a CIA in parts of Armley would assist his client not to sell to those intent on drinking in the

street. It was not the intention of the applicant to sell alcohol to those in drink or who would cause anti-social behaviour through drink.

- He acknowledged that the national trend was for rising crime in Leeds, however, in this particular locality it was low.
- The applicant had put all safeguards in place with signage requested by West Yorkshire Police and there would be no selling of single cans or alcohol over 6.5% These conditions were based on responsible authority guidelines and had proved effective elsewhere.
- The intention of his client was to run a family business.

Responding to questions from the Members the Licensing Sub Committee were informed of the following:

- The applicant wanted to run this store to sell eastern and middle eastern foods, so wished to change the nature of the store which had previously been a newsagent. The applicant was of the view that the Bradford store was too far away from Wakefield where they live and during rush hour it was difficult to run the store and take the children to school. It was the intention to sell the Bradford store and work together in the Armley store.
- It was noted that the operating times of 7am until 11pm were standard operating times in Leeds for this type of store. It was the view that the store is some distance away from the area covered by the CIA so there were no concerns. It was also the view that the Public Spaces Protection Order (PSPO), which the premises resides within, was helpful as it depersonalised reasons for refusing to sell alcohol. It was the opinion that the applicant and the DPS would be able to recognise known street drinkers with the use of due diligence and criminal intelligence to assist them not to sell to those intent on drinking in the street. It was noted that the applicant would consider opening at 8am instead of 7am.
- Mr Omar said that they had tried to locate a premises near to where they live in Wakefield, but had not been able to find anywhere that they would be able to make money from. Their store was different to the off licence next door as they would be selling European foods. He had asked people in the area and there seemed to be a demand for this type of store. He had already bought the lease for the shop and had spent a lot of money on it. His shop in Bradford sells alcohol and has done for 6-7 years, he would recognise a drunk and would not sell alcohol to them.

Cllr Cunningham addressed the Sub Committee informing them that she was objecting to the application as a resident of Armley and on behalf of the residents who had visited her surgery to raise concerns about the application. She said that the CIA was in place on the main part of Armley Town Street and Public Health were working in Armley to address the issues of alcohol dependency in the area. She also said that it was not easy to recognise someone who was dependent on alcohol.

Cllr Cunningham acknowledged there was an off licence next door to the applicant's premises and that there were a number of off licences operating in Armley, it was her view that Armley did not need another off licence. She explained that she had been asked to represent some of the residents as they were afraid of reprisals. Cllr Cunningham said that Armley needed more businesses but not businesses which would cause more issues in Armley and for the residents who live in Armley.

The owner of the off licence next door to the applicant's premises said there was no need for another off licence in the area. He explained that due to the issues in Armley and the concerns raised by the residents, himself and some of the other businesses in the area now closed at 9pm although they did have a licence until 11pm. He said that he closed early for the benefit of the community, he could see no further benefit in opening another off licence in Armley.

A resident of Armley who had lived in the area for 40 years explained to the Sub Committee that some of the clubs and pubs in the area had closed down to try and address the issues in Armley. He went on to explain that recently a shop had opened after obtaining a licence and had issues with the drinkers in the area who had caused anti-social behaviour and crime. Some of the shops had decided to close at 9pm instead of 11pm at the suggestion of the residents to address the issues.

Another resident informed the Members that he was speaking on behalf of two residents, one of whom was scared due to the drinkers in the area and because one of the incidents concerned knife crime involving a relative. It was the view that the applicant did not know the area well as they did not live there, but there are a lot of incidents of anti-social behaviour and crime in this area. He was of the opinion that a new shop which had been given a licence had caused more problems in this part of Armley including robbery, stabbings and teenage drinking. The Members were told that the residents knew him well as his family has had the shop next door to the applicant's for a number of years and they are customers. He also informed the Members that he helps out in the community. He said that more people had wanted to come to the meeting, but they were unable to bring everybody.

Another resident said that the crime statistics were not a true representation of the issues that this part of Armley have, as they were only looking at the last 12 months. However, the issues in Armley had been going on for 15+ years. He said that this area of Armley, known as little Scotland, due to the names of the streets, was blighted by crime. He works as a team leader in a call centre, but he also works with the young people of the area in his spare time organising cricket and other events. He explained that some of the young people come from broken homes due to their parents being dependent on alcohol and it was in his opinion that young people may copy their parents and start drinking. It was his view that since Covid more people had turned to drink and anti-social behaviour, and incidents in the area have become worse.

This resident went on to say that there are a number of shops on Town Street selling alcohol and people come in from outside the area to buy it and this is when issues arise. He said that the newly opened off licence had caused problems in the area which had hurt the residents who had worked with other off licences in the area to get them to close at 9pm.

Responding to questions from the Members the Sub Committee were informed of the following:

- A lot of the crime in the area is unreported. It was recognised that much of the anti-social behaviour was caused by youths aged between 13-14 years old

and 22-23 years old. Therefore, organisations in the area target these age groups to try and assist them to make better lives.

- The Members were advised that 3 shops in the area have taken up the suggestion of closing at 9pm instead of 11pm.
- The residents were not against the store opening for food stuff, only objecting to the licence for alcohol.
- It was the opinion that the PSPO had not reduced crime in the area.

Mr Semper in summing up said that the Leeds Observatory provided statistics for the city. He said that no responsible authorities had objected to the premises licence and were assured that the premises could meet expectations to uphold the licensing objectives. The applicant had noted the 9pm closing time and if this premises licence was to be granted he would be happy to close at 9pm.

The Sub Committee considered all the information presented to them during the meeting and as part of the report.

RESOLVED – To refuse the premises licence.

The meeting concluded at 14:00