

# Public Document Pack

## Licensing Sub-Committee

**Monday, 4th June, 2007**

**PRESENT:** Councillor D Wilson in the Chair

Councillors B Selby and G Wilkinson

**1 "Gangsters Little Bistro" - Application for the Variation of a Premises Licence - Gangsters Little Bistro, 52B North Lane, Headingley, Leeds LS6 3HU**  
Please refer to the attached decision letter

**2 "Garforth Community College" - Application for the Variation of a Premises Licence - Garforth Community College, Lidgett Lane, Garforth Leeds LS25 1LJ**  
Please refer to the attached decision letter

**3 "The Latvian Club" - Directions Hearing - Review of a Club Premises Certificate**

This matter was adjourned to 11<sup>th</sup> June 2007

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Mr A Kadhem  
95 Holt Lane  
Leeds  
LS16 7PJ

## Democratic Services

Civic Hall  
Leeds LS1 1UR

Contact: John Grieve  
Tel: (0113) 224 3836  
Fax: (0113) 395 1599  
Email: [j.grieve@leeds.gov.uk](mailto:j.grieve@leeds.gov.uk)  
Our Ref: A61/JG  
Your Ref: Gangsters

20 July 2007

Dear Sir

### **APPLICATION FOR THE VARIATION OF A PREMISES LICENCE AT "GANGSTERS LITTLE BISTRO", 52B NORTH LANE, HEADINGLEY, LEEDS LS6 3HU**

On 4<sup>th</sup> June 2007 the Licensing Sub Committee heard an application made by Mr Azhar Kadhem of 95 Holt Lane, Cookridge, Leeds LS16 7PJ for the variation of a premises licence in respect of premises at 52B North Lane, Headingley, Leeds LS6 3HU.

The applicant sought the following:

#### Supply of late night refreshment:

Monday to Sunday 23:00 hours until 01:00 hours

#### Hours premises are to be open to the public:

Monday to Sunday 17:00 hours until 01:00 hours

This letter represents the formal decision of the Sub Committee in respect of the application.

### **Preliminary Procedural Issues**

The Sub Committee considered preliminary matters of a purely procedural nature. There were no declarations of interest made.

Prior to the hearing the Sub Committee had considered the Licensing Officers Report and the written representations received from the West Yorkshire Police and four local residents

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With no responsible authorities or objectors in attendance the Sub Committee permitted the applicant 10 minutes in which to make his case. This time limit was imposed having regard to the relevant Regulations and in the interests of consistency and the efficiency of business.

The Sub Committee then went on to consider the application.

### **The Hearing**

The Sub Committee considered the verbal submissions of the applicant Mr Kadhem, which addressed the application and the comments of the interested parties.

In determining the application the Sub Committee took into account written submissions from the above responsible authorities contained within the report and the Notices of Hearing. These had been circulated to the Parties prior to the hearing.

After considering the evidence and submissions the Sub Committee needed to satisfy itself that granting the licence would promote the licensing objectives.

In reaching this decision the Sub Committee had regard to the provisions of the Licensing Act 2003, guidance under Section 182 of that Act and the Council's own Licensing Policy.

In particular the Sub Committee took into account Sections 34 & 35 of the Act because these were the most relevant to the application and Chapter 7 of the Guidance relating to the prevention of crime and disorder, public nuisance and public safety

The Sub Committee then went on to consider the following paragraphs of the Licensing Policy as the Sub Committee took the view these paragraphs had bearing on the application.

11:05 to 11:10	Crime & Disorder
11:11 to 11:22	Public Safety
11:23 to 11:28	Public Nuisance

### **Reasons for the decision**

Members began by noting the following information provided by the Legal Adviser to the Sub Committee:

- The current permitted hours of operation of the premises were:  
Monday to Saturday 23:00 hours until 23:30 hours
- A Premises Licensing was issued under the Licensing Act 2003

The Sub Committee began by considering the verbal representation made by Mr Kadhem, owner/operator of the premises who spoke in support of the application. Mr Kadhem explained that other similar late night refreshments providers in the vicinity were operating

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until the hours of 01.00 and he was requesting the same operating hours. It was reported that the objection from West Yorkshire Police was on the grounds that the proposed operating hours were excessive and should be inline with other similar premises operating within the vicinity i.e. 00.30. In addressing the objections from Local Residents Mr Kadhemi said that two of the objections were from residents who lived some distance away from his premises, who referred to noise nuisance from cars and people walking home, but this was not necessary from his premises. A further letter referred to the Cumulative Impact Area, the Sub Committee's legal advisor confirmed that late night takeaways do not form part of the Cumulative Impact Policy for this area. The final objection was on the grounds of safeguarding Headingley's future sustainability.

### **The Decision**

The Sub Committee having regard to the written submissions from the West Yorkshire Police and four local residents were minded to grant the application on the grounds that other similar late night refreshments providers in the vicinity were operating until the hours of 00.30

The application to vary the Premises Licence was therefore granted. The hours of operation shall therefore be extended as follows:

Monday to Sunday                    17:00 hours until 00:30 hours

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the Sub Committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:  
Clerk to the Justices  
Leeds Magistrates Court  
Westgate  
Leeds  
LS1 3JP

and accompanied by a copy of this decision letter and the court fee of £75.00.

Yours faithfully,

**John Grieve**  
**Clerk to the Licensing Sub Committee**

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## Democratic Services

Civic Hall  
Leeds LS1 1UR

Mr R P Edwards  
Head teacher  
Garforth Community College  
Lidgett Lane  
Garforth  
Leeds  
LS25 1LJ

Contact: John Grieve  
Tel: (0113) 224 3836  
Fax: (0113) 395 1599  
Email: [j.grieve@leeds.gov.uk](mailto:j.grieve@leeds.gov.uk)  
Our Ref: A61/JG  
Your Ref: GarforthComCollege

26 July 2007

Dear Sir

### **APPLICATION FOR THE VARIATION OF A PREMISES LICENCE AT "GARFORTH COMMUNITY COLLEGE", LIDGETT LANE, GARFORTH, LEEDS LS25 1LJ**

On 4<sup>th</sup> June 2007 the Licensing Sub Committee heard an application by representatives of Garforth Community College for the variation of a premises licence at Garforth Community College, Lidgett Lane, Garforth, Leeds LS25 1LJ

The applicant sought the following:

#### Supply of alcohol:

Monday to Saturday 18:00 hours until 23:00 hours

#### Hours premises are to be open to the public:

Monday to Friday 08:00 hours until 23:00 hours  
Saturday 08:00 hours until 18:00 hours

This letter represents the formal decision of the Sub Committee in respect of the application.

### **Preliminary Procedural Issues**

The Sub Committee considered preliminary matters of a purely procedural nature. There were no declarations of interest made.

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Prior to the hearing the Sub Committee had considered the Licensing Officers Report and the written representations received from two local residents

With no objectors in attendance the Sub Committee permitted the applicant(s) 10 minutes in which to make their case. This time limit was imposed having regard to the relevant Regulations and in the interests of consistency and the efficiency of business.

The Sub Committee then went on to consider the application.

### **The Hearing**

The Sub Committee considered the verbal submissions of the applicant(s), which addressed the application and the comments of the interested parties.

In determining the application the Sub Committee took into account written submissions from local residents as contained within the report and the Notices of Hearing. These had been circulated to the Parties prior to the hearing.

After considering the evidence and submissions the Sub Committee needed to satisfy itself that granting the licence would promote the licensing objectives.

In reaching this decision the Sub Committee had regard to the provisions of the Licensing Act 2003, guidance under Section 182 of that Act and the Council's own Licensing Policy.

In particular the Sub Committee took into account Sections 34 & 35 of the Act because these were the most relevant to the application and Chapter 7 of the Guidance relating to the prevention of crime and disorder, public nuisance and public safety

The Sub Committee then went on to consider the following paragraphs of the Licensing Policy as the Sub Committee took the view these paragraphs had bearing on the application.

11:05 to 11:10	Crime & Disorder
11:11 to 11:22	Public Safety
11:23 to 11:28	Public Nuisance

### **Reasons for the decision**

Members began by noting the following information provided by the Legal Adviser to the Sub Committee:

- The current permitted hours of operation of the premises were:  

Monday to Friday	08:00 hours until 23:00 hours
Saturday	08:00 hours until 18:00 hours
- Planning permission for the premises with the above hours conditioned had been granted in 2003

The Sub Committee began by considering the verbal representations made on behalf of the college, who were speaking in support of the application. Mr Whittle said that the



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purpose of the application was to obtain a licence to sell alcohol on the premises for consumption on the premises. The proposed supply of alcohol was 18:00 hours to 23:00 hours everyday, Mr Whittle explained that it was only intended that alcohol would be supplied on 2 events per month indoors, and up to 2 outdoor events per year (14:30 and 23:00) during the Garforth Arts Festival in July. The everyday use allowed flexibility to serve alcohol if required. Mr Sagoo (Events Committee, Garforth College) commenting on the Garforth Arts Festival said alcohol would always be served inside the premises, there would be no outside bars, and fencing would be in place throughout the duration of the event.

In addressing the objections Mr Whittle said that all responsible authorities had been consulted with no adverse comments. The only objections to be received were from two local residents who complained about disturbance to the neighbouring community and that in permitting two events per month, how would requests for further events be controlled. Mr Whittle said that the college was only wishing to stage two events per month and he would have no objections to having the number of events specified within any licensing agreement

## **The Decision**

The Sub Committee having regard to the written submissions from two local residents were minded to grant the application on the grounds that the request to supply alcohol on 2 occasions per month indoors, and 2 outdoor events per year was not excessive

The application to vary the Premises Licence was therefore granted as requested. The terms of the application as agreed with responsible authorities be incorporated within the operating schedule. The hours of operation shall therefore remain as:

Monday to Friday    08:00 hours until 23:00 hours  
Saturday             08:00 hours until 18:00 hours

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the Sub Committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:  
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Yours faithfully,

**John Grieve**  
**Clerk to the Licensing Sub Committee**

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