



Leeds
CITY COUNCIL

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LICENSING SUB-COMMITTEE

MEETING TO BE HELD IN CIVIC HALL, LEEDS ON

MONDAY, 4TH JUNE, 2007 AT 10.00 AM

MEMBERSHIP

Councillors

B Selby - Killingbeck and Seacroft

D Wilson - Rothwell

Third Member to be confirmed

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Helen Gray
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A G E N D A

Item No	Ward	Item Not Open		Page No
1	Headingley		<p>"GANGSTERS LITTLE BISTRO" - APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - GANGSTERS LITTLE BISTRO, 52B NORTH LANE, HEADINGLEY, LEEDS LS6 3HU</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on an application received for the variation of an existing Premises Licence in respect of the above named premises</p> <p>(Report attached)</p>	1 - 6
2	Garforth and Swillington		<p>"GARFORTH COMMUNITY COLLEGE" - APPLICATION FOR THE VARIATION OF A PREMISES LICENCE - GARFORTH COMMUNITY COLLEGE, LIDGETT LANE, GARFORTH LEEDS LS25 1LJ</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) on an application received for the variation of an existing Premises Licence in respect of the above named premises</p> <p>(Report attached)</p>	7 - 12
3	Chapel Allerton		<p>"THE LATVIAN CLUB" - DIRECTIONS HEARING - REVIEW OF A CLUB PREMISES CERTIFICATE</p> <p>To consider the report of the Assistant Chief Executive (Corporate Governance) regarding arrangements for a forthcoming review hearing in respect of the Latvian Club, and specifically the number of witnesses which may be called</p> <p>(Report attached)</p>	13 - 16



Agenda Item:

Originator: Bridget Massey

Tel: 3951864

REPORT OF THE ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)

REPORT TO LICENSING SUB COMMITTEE

DATE: 4TH JUNE 2007

SUBJECT: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE:
GANGSTERS LITTLE BISTRO – 52B NORTH LANE HEADINGLEY LEEDS LS6 3HU

Electoral Wards Affected:

HEADINGLEY

Specific Implications For:

Ethnic minorities

Women

Disabled people

1.0 PURPOSE OF REPORT

- 1.1 To advise Members of an application made under the Licensing Act 2003 (“the Act”) for a Premises Licence in respect of Gangsters Little Bistro, 52B North Lane Headingley, Leeds LS6 3HU

2.0 HISTORY OF PREMISES

- 2.1 The premises currently have the benefit of:

- A Premise Licence issued under the Licensing Act 2003.
- The existing hours of operation are: Monday to Saturday 23:00 Hours to 23:30 Hours.

3.0 THE APPLICATION

- 3.1 The applicant is Mr Azhar Kadhem. The premises are located at 52b North Lane Headingley Leeds LS6 3HU.

The location and the proximity to neighbouring premises can be seen on the map provided, members attention is drawn to **Appendix A**. Although the Premises is situated within the Cumulative Impact Area it is not affected by it as Late Night Takeaways are not caught within the Cumulative Impact Policy for this area.

- 3.2 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of Members, the Operating Schedule shows:

Proposed Licensable Activities:

The applicant proposes to carry out those licensable activities at the premises identified at boxes:

L – Late Night Refreshment

Proposed hours of licensable activities:

The applicant proposes to carry out the following activities: Every Day 23:00 Hours to 01:00 Hours

Times when the premises is open to the public.

If the application is granted the applicant proposes to open the premises as described in box “**O**”.

Designated Premises Supervisor

Not required as Alcohol is not being served

Steps to promote licensing objectives

The applicant proposes to take the steps to promote the licensing objectives identified section “**P**” of the operating schedule.

4.0 RELEVANT REPRESENTATIONS

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Responsible Authorities have made representation

➤ West Yorkshire Police

Members attention is drawn to Appendix “**C**”

4.3 Interested Parties have made representations

➤ Local Residents

Members attention is drawn to Appendix “**D**”

5.0 MATTERS RELEVANT TO THE APPLICATION

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety

- the prevention of public nuisance
- the protection of children from harm

5.2 In making their decision, Members are obliged to have regard to the national Guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

5.3 Members will find attached at appendix a table which acts as an aide memoir of relevant sections of the Guidance and the Council's Licensing Policy which will be of assistance when considering the application and the representations.

6.0 OPTIONS AVAILABLE TO MEMBERS

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation while imposing new conditions or altering in any way the existing the operating schedule.
- Reject whole or part of the variation application

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

BACKGROUND PAPERS

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy

Aide Memoir to relevant sections of the Guidance and Licensing Policy

Representation	Guidance page(s)	Licensing Policy page(s)
Overall approach to licensing		4
Vicinity of premises		5
Monitoring and review of licensing policy		5
Integration of other strategies, policies and initiatives		7
Importance of cultural activities		8
Commercial and community applicants		9
Licensing Hours	23-24	12
Planning	29	10
Human Rights		10
Binge drinking	94	11
Discounted Sales promotions of alcohol	94	11
supermarkets	72	12
Sunday trading	72	12
Bank holidays	74	12
Drinking up time	74	13
Cumulative impact	19	13-19
Large capacity vertical drinking in city centre	95	15
Late night takeaways in the city centre	19	16
New premises in Headingley	19	16
Large capacity vertical drinking in Headingley	19	16
Takeaways in Headingley	19	16
Extended hours in Headingley	19	16
High capacity premises in Woodhouse and Hyde Park	19	17
Licence conditions	148-171	18
Staff Training	93	19
Events in the open air or temporary structures	96-100	19
Operating schedules - contents of		21
Risk assessments		22 and Appendix 1
Crime and disorder	80-83	26 and Appendix 1
Public safety	83-85	27 and Appendix 1
Fire safety	154-157	27-28 and Appendix 1
Public Nuisance	85-87	28 and appendix 1
Children	87-90	29 and appendix 1
Operating Schedule	51-52	21-22 appendix 1

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Agenda Item:

Originator: Bridget Massey

Tel: 3951864

REPORT OF THE ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)

REPORT TO LICENSING SUB COMMITTEE

DATE: 4TH JUNE 2007

**SUBJECT: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE:
GARFORTH COMMUNITY COLLEGE, LIDGETT LANE, GARFORTH, LEEDS LS25 1LJ**

Electoral Wards Affected:	Specific Implications For:
GARFORTH AND SWILLINGTON	Ethnic minorities <input type="checkbox"/>
	Women <input type="checkbox"/>
	Disabled people <input type="checkbox"/>

1.0 PURPOSE OF REPORT

1.1 To advise Members of an application made under the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Garforth Community College Lidgett Lane, Garforth, Leeds LS25 1LJ

2.0 HISTORY OF PREMISES

2.1 The premises currently have the benefit of:

- A Premise Licence issued under the Licensing Act 2003.

The premises is licensed for the following:-

A - Plays Monday to Friday 18:00 hours to 23:00 , Saturday 12:00 to 23:00 Hours, Sunday 12:00 to 22:00

E - Live Music Monday to Friday 16:00 to 23:00 , Saturday 10:00 to 23:00 Hours and Sunday 10:00 to 22:00 Hours

F - Recorded Music Monday to Friday 14:30 to 23:00 Hours and Saturday 09:00 to 23:00 Hours and Sunday 09:00 Hours to 22:00 Hours.

G - Performance of Dance Monday to Friday 18:00 Hours to 23:00 Hours Saturday 12:00 to 23:00 Hours and Sunday 12:00 hours to 22:00 Hours.

H - Anything of a similar Description Friday and Saturday 18:00 to 23:00 Sunday 18:00 Hours to 22:00 Hours.

I - Provision of facilities for making music Monday to Friday 16:00 to 22:00 hours and Saturday 10:00 to 22:00 Hours and Sunday 10:00 to 21:00 Hours

J - Provision for facilities for dancing Monday to Friday 18:00 to 23:00 Hours and Saturday 12:00 to 23:00 Hours and Sunday 12:00 to 22:00 Hours.

L - Late Night Refreshment Monday to Sunday 16:00 to 21:00 Hours.

3.0 THE APPLICATION

3.1 The applicant is Garforth Community College . The premises are located at Lidgett Lane Garforth Leeds LS25 1LJ.

The location and the proximity to neighbouring premises can be seen on the map provided, members attention is drawn to **Appendix A**.

3.2 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of Members, the Operating Schedule shows:

Proposed Licensable Activities:

The applicant proposes to carry out those licensable activities at the premises as above but would like to include the provision of:

M – Supply of Alcohol

The applicant has also applied to cover up 2 events per month indoors and up to 2 outdoor events alcohol to be sold between 14:30 and 23:00 Hours during the Garforth Arts Festival fortnight in July.

Proposed hours of licensable activity

The applicant proposes to carry out the licensable activities as above but Activity **M** Every Day 18:00 Hours to 23:00 Hours

Times when the premises is open to the public.

If the application is granted the applicant proposes to open the premises as described in box “**O**”.

Designated Premises Supervisor

Shalinder Sagoo

Steps to promote licensing objectives

The applicant proposes to take the steps to promote the licensing objectives identified section “**P**” of the operating schedule.

4.0 RELEVANT REPRESENTATIONS

4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

4.2 Interested Parties have made representations

➤ Local Residents

Members attention is drawn to Appendix “C”

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- public safety
- the prevention of public nuisance
- the protection of children from harm

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Report of the Assistant Chief Executive (Corporate Governance)

Licensing Sub Committee

Date: 4th June 2007

Subject:

Directions Hearing - Review of Club Premises Certificate.

Electoral wards affected:

Chapel Allerton

Specific implications for:

Ethnic minorities

Women

Disabled people

Narrowing the gap

Executive Summary

This report informs Members of an application for a review of the Club Premises Certificate made in respect of the the Latvian Welfare Fund Social Club 2 Mexborough Avenue Leeds 7 under Section 87 of the Licensing Act 2003. West Yorkshire Police have made a request for 5 witnesses to be called at the review hearing.

1.0 Purpose of this report

This report provides Members with information in respect of the conduct of a hearing for a review of a Club Premises Certificate under Section 87 of the Licensing Act 2003. The report sets out the relevant procedure when reviewing licences under the Licensing Act 2003 ("the Act"). Finally, this report informs Members of the options available to them in respect of the when reviewing a premises licence.

2.0 Background Information

2.1 The Licensing Act 2003 (Hearings) Regulations 2005 makes provision for the procedure to be followed in relation to hearings held under the Act by an authority.

2.2 Regulation 8 of the above mentioned regulations provides the action following receipt of notice of hearing. To assist Members the relevant section is reproduced below:

8 (1) A party shall give to the authority within the period of time provided for in the following provisions of this regulation a notice stating –

(a) whether he intends to attend or be represented at the hearing;

(b) Whether he considers a hearing to be unnecessary.

In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the authority in relation to the application, representations or notice of the party making the request. may prescribe the procedure to be followed in relation to a hearing held by a Licensing Authority.

3.0 Main Issues

- 3.1 West Yorkshire Police made the request for a review of the Club Premises Certificate for the Latvian Welfare Fund Social Club 2 Mexborough Avenue Leeds 7 on the 4 April 2007.
- 3.2 A copy of the application for the review is attached at Appendix 1
- 3.3 West Yorkshire Police have indicated that they propose to call 5 witnesses during the hearing.
- 3.4 The Club Premises Certificate holder Mr Ivars Muravskis has not indicated he intends to bring witnesses to the hearing.
- 3.5 We have received a letter from Ward Councillors in support of the police application.
- 3.6 We have also received a petition and letters from local residents in support of the police application.

4.0 Implications for Council Policy and Government

- 4.1 It is the stated licensing policy of the Council that when considering a review the authority will take into account all relevant circumstances but will view the matters listed in paragraph 12.13 of the policy with particular seriousness.

5.0 Legal and Resource Implications

- 5.1 There are no resource implications in determining the conduct of the hearing of this review.
- 5.2 The Act provides the right to appeal on any decision reached on review. The right of appeal is to the Magistrates Court.

6.0 Recommendations

- 6.1 Members can either allow or disallow the witnesses to give evidence.

BACKGROUND PAPERS

- Guidance issued under section 182 of the Licensing Act 2003.
- The Licensing Act 2003 (Hearings) Regulations 2005
- Leeds City Council Licensing Policy

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