

Licensing Sub-Committee

Monday, 31st January, 2011

PRESENT: Councillor C Townsley in the Chair

Councillors Mrs R Feldman and T Hanley

184 Election of the Chair

RESOLVED – Councillor C Townsley was elected Chair of the meeting

185 Declarations of Interest

There were no declarations of interest

186 "Baraka Cafe" - Application for the Grant of a Premises Licence for Baraka Cafe, 41 Queens Road, Woodhouse, Leeds LS6 1HY

This application was withdrawn by the applicant prior to the hearing.

187 "Raja's" - Application for the grant of a Premises Licence for Raja's, 13 - 15 Grand Arcade, Leeds LS1 6PG

The Sub-Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy, considered an application for the grant of a Premises Licence for the premises to be known as "Raja's", 13-15 Grand Arcade, New Briggate, Leeds.

Representations had been received from LCC Environmental Protection Team (LCC EPT), West Yorkshire Police (WYP) and from Councillor J Monaghan. Present at the hearing were:

Mr A Hanif – the applicant and Mr J Colannino – (observing)

PC C Arkle and Mr B Patterson – WYP

Mr B Kenny – LCC EPT

Councillor Monaghan did not attend the hearing and the Sub Committee resolved to consider his written representation and proceed in his absence.

The Sub Committee heard first from Mr Kenny who stated that a qualified objection to the application had been made which included measures proposed to prevent public nuisance. Mr Kenny reported that the applicant had agreed to those measures just prior to the hearing, therefore LCC EPT withdrew their representation; subject to the measures being included on the premises licence should the application be granted.

The Sub Committee then heard from Mr Patterson and PC Arkle of WYP who highlighted the fact that this premises lay within the revised Cumulative Impact Policy Area 1. PC Arkle described the immediate vicinity of the premises as a hotspot for alcohol related incidents of crime and disorder and/or anti-social behaviour, furthermore the proliferation of late night refreshment venues on New Briggate provided flashpoints for violence. PC Arkle stated the applicant had to demonstrate how the operation of this premises would not add to the problems already experienced in New Briggate. PC Arkle drew Members' attention to six measures proposed by

WYP to address the prevention of crime and disorder licensing objective, should they choose to grant all or part of the application.

The applicant, Mr Hanif, then addressed the hearing and the matters raised; particularly the nature of the locality. He confirmed he would accept the measures proposed by LCC EPT and five of those proposed by WYP. Mr Hanif expressed his concern that WYP suggested he employ 2 doorstaff at all times the premises licence was in operation. Mr Hanif made a distinction between the style of operation proposed for his premises and that of the other late night refreshment venues on New Briggate. He did not believe his premises would attract the same problems of anti social behaviour and/or crime and disorder. Mr Hanif outlined measures he had implemented to address a problem he identified with queues for the adjacent nightclub forming outside his own premises.

Members carefully considered all the written and verbal submissions before them and noted that the applicant had agreed measures with LCC EPT just prior to the hearing and had offered to agree most of the measures suggested by WYP during the hearing.

The Sub Committee had regard to the submission by WYP that the premises lay within CIP Area 1 and that Mr Hanif should demonstrate that his premises would not contribute to the problems of crime and disorder already experienced in the New Briggate locality. Members also noted the submission made by Mr Hanif regarding the style and nature of operation of his restaurant/take-away premises. On balance the Sub Committee was satisfied that his submission, the agreed measures and those to be imposed would outweigh refusal of the application

RESOLVED – That the application be granted for the hours and activities as requested.

Conditions

- Those measures agreed between the applicant and LCC EPT will now be imposed and be included within the Premises Licence as conditions:
 - 1) Noise from a licensable activity at the premises shall be inaudible at the nearest noise sensitive premises
 - 2) Clear and legible notices will be displayed at the exits requesting patrons to leave the premises quietly having regard to the needs of local residents, in particular emphasising the need to refrain from shouting, slamming car doors, sounding horns and loud use of vehicle stereos
 - 3) The Designated Premises Supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary

- Those measures suggested by WYP to address the crime and disorder licensing objective and agreed at the hearing by the applicant are now imposed on the Premises Licence as conditions:
 - 1) A suitable CCTV system will be maintained and be operational on the premises at all times when licensed activities are being carried out
 - 2) CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of West Yorkshire Police

- 3) At all time that licensable activities are taking place there shall be a member of staff on duty who is able to operate the CCTV system and download footage immediately on request of a police officer of Leeds City Council Enforcement Officer
- 4) There will be a communication link to the WYP and other relevant venues in the locality by means of the Nitenet radio
- 5) Such communication link will be kept in working order at all time when licensable activities are taking place

- The Sub Committee also amended and imposed the final measure proposed by WYP as follows:

- 6) There will be a minimum of 2 doorstaff employed at the premises from 23:00 hours until 05:00 hours the following day on Friday and Saturdays

The Sub Committee felt these measures were necessary and proportionate given the position of the premises in this location

188 Application for the certification of films - UK Jewish Film Festival on Tour

The Sub Committee considered the report of the Assistant Chief Executive (Corporate Governance) setting out an application received for the certification of films proposed to be shown during the UK Jewish Film Festival on Tour scheduled to be held throughout February 2011. The report included the British Board of Film Classification categories for reference.

Appended to the report was a schedule of the films requiring certification including a brief synopsis of the content of each film and a proposed classification. Members considered the proposed classifications for the films listed and were satisfied that it was necessary for the protection of children licensing objective to adopt the suggested certificates.

RESOLVED – That the films outlined in the schedule attached to the report and proposed to be shown at the UK Jewish Film Festival on Tour be classified in accordance with the suggested classifications