

## **Licensing Sub-Committee**

**Monday, 3rd March, 2014**

**PRESENT:** Councillor B Selby in the Chair

Councillors T Hanley and P Latty

**184 Election of the Chair**

Councillor Selby was elected the Chair for the duration of the meeting.

**185 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

**186 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

**187 Late Items**

A late item was admitted to the agenda, the committee had been sent the agenda item prior to the meeting.

**Minute 192 refers**

Agenda item 9. Film certification – For Hyde Park Picture House

This item was added to the agenda to accommodate the film scheduling process at the Hyde Park Picture House.

**188 Declarations of Disclosable Pecuniary Interests**

No declarations were made.

**189 Application for the grant of a premises licence for; Spice Zone 67 Pendas Way, Stanks, Leeds, LS15 8HU**

The report of the Head of Licensing and Registration provided details of an application for the grant of a premises licence, made by Mr Eron Miah for Spice Zone, 67 Pendas Way, Stanks, Leeds, LS15 8HU.

Representations had been received from Health and Safety and Environment Health in their capacity as responsible authorities. Agreement had been reached with both the responsible authorities prior to the hearing.

Representations had also been received from three other persons on the grounds of public nuisance. A member of the Cross Gates Watch Residents Association was in attendance at the hearing speaking on behalf of the local residents who had made representations.

Ms Brough and Ms Burns the Licence Holders Agent and Mr Ahmed a representative of Spice Zone were also in attendance at the hearing.

Ms Brough spoke on behalf of Mr Miah informing the Committee that the Spice Zone had operated successfully since 2012, Mr Miah has held a personal licence since 2008. In the last 12 months there has been no reported incidents relating to the premises.

Customers of the Spice Zone are currently able to supply their own alcohol to accompany their meal. Customers often use the off licence nearby to purchase alcohol. When asked, Mr Miah clarified that there is no corkage charged and if the license were to be granted customers would no longer be able to supply their own alcohol. The Committee were informed that alcohol would not be sold with takeaway food.

The member of the residents association informed Members of the location in which Spice Zone is located explaining the proximity of local residents to the premises. The residents were opposing the application on the grounds that they would be disturbed by noise nuisance from deliveries and customers entering and leaving the premises. The residents had concerns that if the premises were to hold an alcohol licence the noise levels would increase with more customers.

**RESOLVED** - The Licensing Sub Committee resolved to grant the licence as applied for with the additional condition.

- Only alcohol purchased on the premises to be consumed on the premises. And the conditions proposed by the Responsible Authorities and agreed with the applicant being incorporated into the operating schedule.

#### **190 Application to vary a club premises certificate in respect of Grove Hill Club, Ilkley Road, Otley, Leeds, LS21 3JN**

The report of the Head of Licensing and Registration provided the Licensing Sub-Committee with details of an application to vary a club premises certificate in respect of Grove Hill Club, Ilkley Road, Otley, Leeds LS21 3JN.

Representations had been received from Environmental Protection Team in their capacity as a responsible authority but had been agreed prior to the hearing. The application had also received representations from three local residents all opposed to the application on grounds of noise nuisance related to the proposed extension of the hours of operation. None of the residents were in attendance at the hearing.

The Grove Hill Club Secretary was in attendance. He informed the Members that at the Annual General Meeting on Friday 28<sup>th</sup> February 2014 the club had agreed that no smoking would be allowed at the front of the premises at any time and would be directed to the back of the premises and no drinks were to be taken outside unless into the beer garden during the summer months. He had brought in a notice which is now attached to the doors informing the members of the club of the new guidelines on smoking and drinking outside the premises.

The Club Secretary also informed the Licensing Sub-Committee that the Grove Hill Club did not hold functions on Sunday evenings. He told the Committee that when functions were being held at the club the windows were kept closed and the music set to an acceptable level and lowered at 10:30pm.

He told the Committee that the Grove Hill Club had applied for planning permission to move the smoking shelter from the front of the premises to the rear to reduce the noise level.

The Committee were informed that Monday and Tuesday evening at the Club was games nights and the extra hour would be to enable club members to finish off games of snooker and pool.

**RESOLVED** – To grant the licence as per the application with the conditions proposed and those agreed with the responsible authorities to be incorporated into the operating schedule. The additional conditions being:-

- The premises licence holder would ensure that patrons would not take alcohol from the front of the building at any time.
- The premises licence holder will ensure that patrons shall not take / consume alcohol in the external areas after 23:00 hours.

### **191 Certification of Films - 15th Leeds Young Film Festival**

The report of the Head of Licensing and Registration informed Members of an application for the certification of films to be shown as part of the Leeds Young Film Festival.

Appendix A of the submitted report provided Members with details of the films which required certification the information included a brief synopsis and a recommended category in line with the British Board of Film Classification (BBFC).

Representatives of the Young Film Festival office were in attendance at the hearing to provide additional information to Members.

Members sought clarification on a number of issues including:

- Type of strong language
- Violent or scary scenes
- If films had been viewed elsewhere
- Length of films

Members were informed that the use of bad language was mild, scary scenes were in line with BBFC guidelines and organisers of the Leeds Young Film Festival were cautious when recommending certification providing information to parents.

Members were informed that 3 of the films had been viewed at other location: 'Lad: A Yorkshire Tale' had been shown at Ilkley, with 'Upside Down' and 'Horizon Beautiful' shown at the Dundee Arts Festival.

The Committee were told that 'For no eyes only' and 'Sanctuary' had been removed from the list.

All films were to be shown at the Hyde Park Picture House with the exception of 'Rio 2' which would be shown in the Light as this film was in 3D.

**RESOLVED** – That the Licensing Sub-Committee carefully considered the synopsis and the explanation given in the classification and granted the film certifications as applied for.

### **192 Certification of Film - For Hyde Park Picture House**

The report of the Head of Licensing and Registration was a late item admitted to the agenda. This item was added to the agenda to accommodate the film scheduling process at the Hyde Park Picture House. The report advised Members of an application for the certification of a film to be shown at Hyde Park Picture House, Brudenell Road, Leeds, LS6.

Wendy Cook from Hyde Park Picture House was in attendance at the meeting. She informed the Members that this film was currently playing at film festivals around the world including Toronto. This would be the first screening of the film in the United Kingdom it would be introduced by local musician Paul Marshall.

The film is a low budget film depicting one inhabitant of a poor neighbourhood thrown into a position of power and the effect that this has on the community and the inhabitant.

Members sought information about the type of swearing, violence and sex scenes that are included in the film. Members were informed that the certification 15 was being advised as the swearing was mild, the violence was moderate and that the sex scenes were not of a graphic nature.

**RESOLVED** - The Licensing Sub-Committee considered the report and the synopsis at appendix 1 of the submitted report and resolved to grant the certification as applied for.