

Licensing Sub-Committee

Friday, 19th August, 2016

PRESENT: Councillor C Townsley in the Chair

Councillors M Coulson and G Wilkinson

1 Election of the Chair

RESOLVED – Councillor C Townsley was elected Chair for the meeting

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

Members noted that no members of the public attended the hearing. However, in accordance with Regulation 4 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Members determined that should the public attend the hearing to observe, then they would be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as follows:-

Item 6 Appendices A and D of the report on Wellington Stores – designated as exempt from publication under the provisions of Access to Information Procedure Rules 10.4 (1,2 and 7) and under Regulation 14 of the Licensing Act 2003 Hearing Regulations 2005. The appendices contain information relating to any individual and which is likely to reveal the identity of an individual; and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. (minute 48 refers)

4 Late Items

No late items of business were added to the agenda.

5 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

6 Review of the Premises Licence for Wellington Stores, 27 Holdforth Place, New Wortley, Leeds, LS12 1YG.

The Head of Elections, Licensing and Registration submitted a report on an application for the Review of the Premise Licence held at the premises known as Wellington Stores, 27 Holdforth Plane, New Wortley, Leeds LS12 1YG.

A Closure Notice was issued by Leeds Magistrates Court on 21st July 2016 as a result of an application to the Courts by Leeds Anti-Social Behaviour Team (ASBT) and West Yorkshire Police (WYP) due to concerns over incidents of anti-social behaviour and alleged crime and disorder associated with the premises. This had triggered the Review under Section 167 of the Licensing Act 2003.

Prior to the start of the hearing, the Legal Advisor to the Sub Committee reported that the Premise Licence Holder (PLH) - Mr M S Bahi - had notified the Licensing Authority that he would not attend the hearing. The Clerk attempted to contact Mr Bahi on the telephone number retained within the premises licence file, however that number was no longer available.

The Sub Committee was provided with assurances that Mr Bahi had been made aware of the date, time and venue of the hearing and resolved to proceed in his absence.

The Licensing Officer presented the report which included the licensing history of the premises and the background to the making of the application for the Review.

Mr S Holder, Principal Licensing Officer, represented the Licensing Authority (LA) at the hearing. He provided an overview of the process to be followed by the LA once a Closure Notice had been issued.

Ms C Sanderson attended the hearing to represent West Yorkshire Police (WYP) and highlighted the information provided on the meetings which had taken place with the PLH and relevant authorities. The Sub Committee were provided with more detail on the matters referred to in exempt appendices A and D.

Members noted that the premises would remain closed until October 2016 under the terms of the Magistrate's Closure Notice.

The Sub Committee had regard to the options available for them to take in respect of the Review and carefully considered the information provided in the report and at the hearing. Members were concerned that matters had got to this point where a review application was necessary due to the strong concerns over the crime and disorder, public safety and public nuisance concerns associated with the style of operation of Wellington Stores. Members were further concerned over the impact of the operation of Wellington Stores on children in the locality.

The Sub Committee noted the attempts by WYP and Leeds ASBT to engage with the PLH, but felt that the operator did not take the matter seriously.

The Sub Committee felt that Wellington Stores provided a hub and meeting place for a particular group of young people and noted the criminal activity alleged to have taken place there. From the evidence, the Sub Committee felt it was clear that the PLH was not remotely interested in adhering to, or promoting, the 4 licensing objectives. Members also had regard to the comments made regarding the operation of the premises and available stock.

Having regard to all the evidence presented in the report and at the hearing; and having considered the options available to them, the Sub Committee
RESOLVED – To revoke the Premises Licence for Wellington Store, 27 Holdforth Place, Leeds LS12 1YG