

Licensing Sub-Committee

Wednesday, 23rd May, 2018

PRESENT: Councillor G Wilkinson in the Chair

Councillors B Flynn and M Harland

1 Election of the Chair

RESOLVED – That Councillor Wilkinson be appointed as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

That the public be excluded from the meeting during consideration of that part of the agenda designated as exempt information 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 so designated as follows:

(a) Appendix A (i) of the report referred to in minute 7 in accordance with Access to Information Procedure Rule 10.4 (1,2), as it includes information relating to an individual and information which is likely to reveal the identity of an individual.

(b) To note that the press and public will also be excluded from that part of the hearing where Members deliberate the application as it is in the public interest to allow the Members to have full and frank debate on the matter, as allowed under the provisions of the Licensing Procedure Rules.

4 Late Items

There were no formal late items.

However, supplementary information had been circulated to all interested parties prior to the hearing in relation to the following items:

- Item 6 - Review of the Premises Licence for Zen Rendezvous, 10 The Green, Guiseley, Leeds, LS20 9BT

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Review of the Premises Licence for Zen Rendezvous, 10 The Green, Guiseley, Leeds, LS20 9BT

The report of the Head of Elections, Licensing and Registration informed Members of an application to review a Premises Licence under Section 51 of the Licensing Act 2003, sought by West Yorkshire Police in respect of Zen Rendezvous, 10 The Green, Guiseley, Leeds, LS20 9BT.

Members were informed the Premises Licence Holder was Mr Alan Yeung. Mr Yeung was present at the meeting, along with his representative Mr Patrick Robson of John Gaunt & Partners.

Oliver Thorne, counsel, representing West Yorkshire Police (WYP) were in attendance. The application for review of the premises licence was made on the grounds of the prevention of crime and disorder.

WYP highlighted a number of issues with the current running of the establishment, including:

- The admission of young people under the age of 18;
- The number of violent incidents involving heavily intoxicated young people, some of whom were under the age of 18;
- Underage young people storing alcohol outside of the venue to avoid buying alcohol from the venue, and subsequently drinking outside of the venue before returning;
- Noise and nuisance for local residents of the surrounding area of the premises;
- Numerous breaches of the licence condition including failure to maintain a functioning CCTV system.

The supplementary information provided included police reports detailing numerous incidents relating to the issues outlined above. However, Members were informed that, during a meeting on Tuesday 15th May 2018 with the Premises Licence Holder and his legal representative, both parties agreed to a number of significant amendments to the current Licence conditions. WYP informed Members that they are satisfied with the proposed amendments and therefore no longer recommend the Sub-Committee to revoke Mr Yeung's licence.

The agreed amendments were as follows:

- For a new and experienced Designated Premises Supervisor (DPS) to be employed in 6 to 8 weeks. WYP to be consulted and agree suitability of candidate;
- For a new security company to be employed, and for 6 members of door staff to remain 30 minutes after closing, and 3 to remain 60 minutes after closing;
- For no admission to the premises after 1:30am;
- Admission charge, including a re-admission charge for those who leave the premises and wish to return, though the designated smoking area would not be included;
- For a new training package for new and current members of staff to be developed and implemented, to enable staff to correctly identify age of customers and fully understand the consequences of serving alcohol to underage young people;
- Having a "Challenge 25" policy;
- Improved record keeping.

Members raised concerns about the effectiveness of new amendments to the conditions outlined above, referring to the number of amendments that have previously been made over the years with little progress. WYP noted that the changes were substantial enough to change the premises current reputation of a venue that attracts underage clientele. Members also enquired as to whether a Public Space Protection Order was in place, and officers present confirmed that this was the case.

The Liaison and Enforcement Officer, on behalf of the Licensing Authority in attendance, gave a brief timeline of events himself and colleagues had witnessed during visits to the premises leading up to the application for review, which are supportive of issues raised in representations from WYP and members of the public. The Liaison and Enforcement Officer attended the meeting that took place on Tuesday 15th May 2018 and was encouraged by the new proposals, but noted that he was not entirely confident that they would be fully implemented.

Mr Robson provided more detail on how the amendments to the conditions set out above would be implemented, and provided an update of progress to date. Members were informed that the issues related to CCTV were now resolved, and that the licence holder has upgraded system beyond requirements of WYP. Mr Robson also noted an additional requirement which was not previously mentioned by WYP, which set out that the Premises Licence Holder must be on site at all times when the premises is trading.

Members gave serious consideration to suspending the Premises Licence for 3 months, but were assured by the parties' presentations that the new amendments were substantial enough to reduce the issues associated with the venue, and therefore, the Sub-Committee

RESOLVED – That the Premises Licence Holder retain his licence, upon full implementation of the conditions as agreed with West Yorkshire Police, set out in the operators bundle at pages 203-206.

Further to this, the committee also made the following conditions:

1. The operator will consult with the Licensing Authority and West Yorkshire police in respect of a new Designated Premises Supervisor
2. The operator will consult with the Licensing Authority and West Yorkshire Police in respect of the introduction of new door staff.