

Licensing Sub-Committee

Thursday, 20th December, 2018

PRESENT: Councillor G Wilkinson in the Chair

Councillors H Bithell and M Harland

1 Election of the Chair

RESOLVED – To elect Councillor Wilkinson to the 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

There were no exempt items.

4 Late Items

There were no formal late items. However at the start of the meeting Mr Morton-Burwerimwe asked to circulate a copy of the flyer advertising the proposed event. With the agreement of all parties the flyer was circulated.

5 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made.

6 Temporary Event Notice for Liv Bar - Outside Area, 62 - 64 New Briggate, Leeds, LS1 6NU

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub-Committee of a temporary event notice served under section 100 of the Licensing Act 2003 in respect of Liv Bar - Outside Area, 62 - 64 New Briggate, Leeds, LS1 6NU.

The Temporary Event Notice was for;
Regulated Entertainment

Late Night Refreshment – From 21:00hours on 31st December 2018
Until 01:00hours on 1st January 2019

The maximum capacity for the event was for 300 persons

Members were advised that representations had been received from West Yorkshire Police and LCC Environmental Protection Team. Discussions had taken place between Mr Morton-Buwerimwe and Environmental Protection Team and it had been agreed to reduce the terminal hour from 4:00am to 1:00am.

However, West Yorkshire Police still had concerns on the location of the proposed event and had made a representation under the Licensing Objectives for public safety.

WYP informed Members of the following points:

- A late TEN had been submitted for 21st December 2018. This event had been objected to and subsequently would not go ahead.
- The TEN was for late night refreshment and music, no alcohol.
- The event was to be held outside of LIV Bar on Merrion Street. Members heard that LIV Bar currently have no outside space attached to the premises.

- This section of Merrion Street is currently closed to through traffic and that the street is not used after midnight. A metal gate is used to close the road off.
- Mr Morton-Buwerimwe was not the owner of LIV Bar but had asked to use the area in conjunction with the New Year celebrations at the Bar.
- Mr Morton-Buwerimwe had informed the Police and Licensing Entertainment that he had permission to use the outside area of MOJO's, a premises further along the street. However, the Police did have emails from the owners of MOJO's who had not been aware of the event and had not given permission to use their outside area.
- Concerns were for public safety due to the expected number of people who may be in drink and drinking at this event close to the junction of Merrion Street.
- The Police were of the opinion that the event could not be run safely.

Mr Morton-Buwerimwe informed the Licensing Sub-Committee of the following points:

- He had been organising events such as this for 15 years. He had organised events elsewhere including at the Chapeltown Carnival;
- LIV Bar has only a small kitchen and Mr Morton-Buwerimwe wished to provide access to a Jerk Hut BBQ;
- The event would allow people who were standing outside smoking to enjoy some music and collect something to eat should they wish to;
- A £25 ticket would get customers a complimentary drink, access to the BBQ and entry to both inside and outside events;
- Those who had bought tickets would be provided with a wristband;
- An area would be fenced off for the event and would have 5 security staff to check entry and keep order;
- The security firm would be Secure Tech which he had used previously at other events;
- 70 tickets had already been sold;
- The event would cater mainly for family, friends and work colleagues;
- The maximum no of people that were to be catered for was 150. A 'clicker' would be used to ensure not over maximum capacity;
- Mr Morton-Buwerimwe had only applied for one other TEN as part of the Carnival.

In response to questions from Members the Licensing Sub-Committee heard:

- A heavy duty gate was used to block the road on this section of Merrion Street;
- Mr Morton-Buwerimwe indicated the area he was speaking about on a map;
- The kitchen in LIV Bar was too small;
- It wasn't proposed that there would be any seating;
- MOJO's had seating in their outside space but this was removed at midnight;
- The music would be played outside via an extension of the LIV Bar sound system there would be no DJ;
- Other premises had gone through the application process for their street café licences;
- Other Street Cafés were only operated till midnight;
- There are residences in the area.

The Members considered all the information put to them in the agenda pack and presented at the meeting.

RESOLVED – To refuse the Temporary Event Notice.