

Licensing Sub-Committee

Tuesday, 18th June, 2019

PRESENT: Councillor P Drinkwater in the Chair

Councillors A Marshall-Katung and
G Wilkinson

1 Election of the Chair

RESOLVED – That Councillor Drinkwater be elected 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

In relation to item 7, Appendices A and B were exempt under 9.2(b) and 10.4.1 and 10.4.2 of the Access to Information Procedure Rules. The Appendices were also exempt under Regulation 14 of the Licensing Act 2003 Hearings Regulations 2005 (SI 2005 NO44)

4 Late Items

The Sub Committee was in receipt of the following:

Agenda item 7, person licence for Mr Junior Archibald – an application was made for additional evidence to be considered and circulated to the Sub Committee (minute 7 refers)

Formal Late item – Temporary Event Notice for Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE (minute 8 refers)

RESOLVED – To receive the late matters and to take them into account during consideration of the relevant application.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application for the grant of a premises licence for Pizza Torino Ltd 52-54 Westgate, Otley, LS21 3AS

The Chief Officer Elections and Regulatory submitted a report that set out an application for the grant of a premises licence for Pizza Torino Ltd, 52-54 Westgate, Otley, LS21 3AS.

In summary, the application sought to provide late night refreshment:

Sunday – Thursday 23:00 – 00:00

Friday and Saturday 23:00 – 01:00

Representations had been received from Environmental Health in their capacity as a responsible authority. The applicant had since agreed the proposed measures as set

out in the report at Appendix C. A representation submitted by West Yorkshire Police and one member of the public remained on the grounds of public nuisance.

In attendance at the meeting were:

- Kamal Reda, Applicant
- David Parker, West Yorkshire Police

David Parker was in attendance, on behalf of West Yorkshire Police. He addressed the Sub Committee and explained an agreement had been reached with the applicant prior to the hearing, and the additional conditions to be added to the operating schedule had been agreed.

The additional conditions proposed are as follows:

- A suitable CCTV system will be in operation at the premises at all times when it is being used for the provision of licensable activities and/or when members of the public are permitted to be on the premises. The CCTV system will record images to cover all areas of the premises to which the public have access, including any external areas of the premises such as car parks and beer gardens. The CCTV system will be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. At least one member of staff will be on duty at the premises who is capable of operating the system and downloading images recorded by it. These images will be downloaded, and provided, on request, to an officer of a responsible authority.
- The premises licence holder will ensure that an incident Report Register is maintained on the premises to record incidents such as anti-social behaviour, admissions refusals and ejections from the premises. The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, any staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident. The Incident Report Register will be retained for a period of twelve months and produced for inspection immediately in the request of an authorised officer.

In respect of this, and subject to the measures being added, West Yorkshire Police agreed they were happy to withdraw their objection to this application.

Mr Reda was in attendance on behalf of Pizza Torino Ltd and in response to Members questions, he addressed:

- The opening hours proposed, sought an additional hour during the weekdays, and until 1am on a weekend;
- Last orders would be at 00:45 on a Friday and Saturday night;

- The premises mainly received orders for delivery, and very few for collection on a night - reducing noise disruption from vehicles outside of the premises;
- The premises was surrounded by both residential and business uses;
- CCTV is currently installed.

The Sub-Committee carefully considered the information submitted, both written and oral, and

RESOLVED – That the application be granted as applied for with the additional conditions as agreed with the responsible authorities.

7 Application for the grant of a personal licence for Mr Junior Archibald

The Chief Officer Elections and Regulatory submitted a report with an application for the grant of a person licence under the Licensing Act 2003 (“The Act”) in respect of Junior Archibald. The application attracted a representation from West Yorkshire Police and therefore required a hearing of the Licensing Sub Committee for determination.

Appendices A and B were exempt under 9.2(b) and 10.4.1 and 10.4.2. The appendices were also exempt under Regulation 14 of the Licensing Act 2003 Hearing Regulations 2005 (SI 2005 No 44)

In attendance at the meeting:

- Junior Archibald, Applicant
- Daniel Penman, Barrister
- Martin Maynard, West Yorkshire Police
- Bob Patterson, West Yorkshire Police

An application for additional evidence had been submitted on behalf of West Yorkshire Police, to be included in the committee papers; which was agreed by both parties to be included.

(Due to the confidential nature of the information being discussed, this part of the meeting was held in closed session)

RESOLVED – That the application be granted as applied for.

8 Temporary Event Notice for Caribbean Cricket Club Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE

The Chief Officer Elections and Regulatory submitted a report detailing an application for a Temporary Event Notice (TEN) from the Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE.

The application had received a representation from the Environmental Protection Team and West Yorkshire Police on the grounds of public nuisance.

Prior to the hearing, the applicant explained that due to work commitments, they couldn't be in attendance and had to leave before the application was due to be

heard by the Sub Committee. The Sub Committee considered whether the hearing should be adjourned to allow the applicant to attend a future date, and to allow all parties to have a fair hearing.

RESOLVED – That the application be adjourned until 9th July 2019.