

Licensing Sub-Committee

Tuesday, 20th August, 2019

PRESENT: Councillor P Wray in the Chair

Councillors H Bithell and A Marshall-Katung

1 Election of the Chair

RESOLVED – That Councillor P Wray be elected as Chair for the hearing.

2 Declarations of Disclosable Pecuniary Interests

There were no declarations.

3 Application for the grant of a Premises Licence for Senayt Cafe/Bar, 3 Gathorne Street, Chapeltown, Leeds, LS8 5AF

The report of the Chief Officer, Elections and Regulatory presented an application for a Premises Licence at Senayt Café/Bar, 3 Gathorne Street, Chapeltown, Leeds, LS8 5AF.

The application had received representations from West Yorkshire Police, Leeds City Council Planning Services, Environmental Protection and members of the public.

The original application was for the following:

- Sale by retail of alcohol and recorded music:

Mon to Thurs	11:00 until 02:00
Fri and Sat	11:00 until 05:00
Sun	11:00 until 18:00
- Late Night Refreshment:

Mon to Thurs	23:00 until 02:00
Fri and Sat	23:00 until 05:00

Following the representation from Planning Services the application was amended and proposed the following licensable activities/hours:

- Sale by retail of alcohol and recorded music:

Mon to Sat	09:00 until 22:00
Sun	09:00 to 23:00

The representation from West Yorkshire Police had been withdrawn following the agreement of conditions with the applicant and the representation from Planning Services had been withdrawn due to the revised application.

Prior to the commencement of the hearing, there was a short adjournment for all parties to consider supplementary information that had been submitted by the applicant.

The following were in attendance:

Ms S Fettle – Senayt Café Bar
Mr T Saleh – A & B Lawyers & Accountants Ltd
Ms J Henry – Local resident

The applicant's representative addressed the sub-committee. The following was highlighted:

- An application for the change of use of the premises had been granted. The premises which had previously been a taxi office would be used as a restaurant and bar.
- The premises would primarily serve the Eritrean community and there was customer demand to have alcohol supplied with meals.
- It was felt that objections to the licence had been made on behalf of other licensed premises in the area.
- With regard to public representations and concerns regarding safety/public nuisance it was felt that these had been addressed with the conditions agreed with West Yorkshire Police.
- With regard to representations stating that the premises had been operating illegally, it was reported that these occasions had been covered by Temporary Event Notices.

A local resident addressed the sub-committee with concerns and objections to the application. These included the following:

- Objections submitted had all come from local residents who had discussed their concerns following the notification of the application.
- Local residents had been aware of activities at the premises prior to the application being submitted and people had been observed drinking alcohol and smoking. This had been reported to the Council and the Police.
- The premises were in a residential area and there had been disturbance when the premises were used as a taxi rank. Local residents were worried that there would be disturbance from noise and anti-social behaviour.
- There was a potential for criminal activity and the area had already had incidents of shootings and stabbings.
- Concern due to a number of children living close to the premises.
- Noise and disturbance from other premises in the area.

In summary, the applicant's representative highlighted the following:

- The applicant respected the residents' concerns but did not feel that some of the issues raised were immediately linked to the application.
- There had not been any action from the Police regarding complaints to them.
- Full planning permission had been granted for use as a bar/restaurant.

- Reference to criminal activity was not connected to the premises.
- The applicant was a responsible operator and would follow the conditions applied to the licence.

Further to the applicant's comments, Ms Henry confirmed that there had been contact with the Council and Police regarding use of the premises but she was unaware of any action taken.

In response to questions from the Sub-Committee, the following was discussed:

- There would be four covers and the food offer would be sandwiches.
- The premises would primarily be alcohol led.
- The hours applied for had been to allow for flexibility of opening.
- Children would not be admitted to the premises.
- Changes were being made to the premises to meet guidelines required for conditions to the licence. There would be no amplified music and CCTV would be installed.
- Noise disturbance referred to from local residents may have come from other licensed premises.
- The applicant took over the running of the premises in April 2019 but had worked there previously.
- Ms Henry had observed people drinking in the premises and had photographic evidence but could not confirm whether these were taken on dates when Temporary Event Notices had been granted.

The Sub-Committee adjourned to consider the application, report of the Chief Officer Elections and Regulatory along with the representations submitted in writing and made at the hearing along with the Statement of Licensing Policy.

RESOLVED – That the license for the sale by retail of alcohol and recorded music be granted 09:00 to 21:00 seven days a week.