

Licensing Sub-Committee

Tuesday, 9th July, 2019

PRESENT: Councillor H Bithell in the Chair

Councillors A Hutchison and A Wenham

1 Election of the Chair

RESOLVED – That Councillor H Bithell be elected as Chair for the hearings.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

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, there was some supplementary information distributed to Members prior to the meeting in relation to Item 6 (Minute 6 refers)

5 Declarations of Disclosable Pecuniary Interests

Although there were no declarations of disclosable pecuniary interests, Councillor A Wenham required it to be recorded that she knew two of the applicants in attendance for Item 6 – Temporary Event Notice for Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE.

6 Temporary Event Notice for 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) for Caribbean Cricket Club, Scott Hall Road, Leeds, LS7 2EE.

In summary, the TEN was set out to include:

The sale by retail of alcohol
The provision of regulated entertainment
The provision of late night refreshment
The dates and hours:

From 23:00 hours on Saturday 24th August until 04:00 hours on Sunday 25th August 2019. Specified maximum capacity of the event 499.

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

The following were in attendance on behalf of the applicant:

- Diane Flemming
- Harwood Williams
- Larry Gumbs
- Reginald Hamilton

Diane Flemming, the proposed licence holder, addressed the Sub-Committee. Members were informed that the TEN would allow for a cultural celebration event with live music, with attendees likely to be aged 35 – 65, as part of the Leeds West Indian Carnival. Mrs Flemming stated that she was surprised to receive a representation from West Yorkshire Police on the grounds of prevention of public nuisance, as no large speaker systems are to be used and that the event would be the only event for the Leeds West Indian Carnival that would be ticketed. Mrs Flemming added that a strict policy for music and behaviour would be in place, and that security staff would be employed to supervise attendees leaving the premises. Mrs Flemming advised that any complaints received historically were likely to be from ex-committee members of the club.

Ruth Turner and Karl Sheldon were in attendance on behalf of the Environmental Protection Team. Members were informed that the premises included a conservatory type extension, which had little to no sound attenuation, and was in close proximity to residential housing, including sheltered housing. Members were informed that there had been a number of complaints historically, with the most recent noise complaint on 23rd June 2019. The Environmental Protection Team advised that an event taking place until 4am would negatively impact local residents, and therefore had serious concerns that the premises would be unable to comply with the licensing conditions.

Andy Clifford was in attendance on behalf of the West Yorkshire Police (WYP) and addressed the Sub-Committee. Members were informed that a number of meetings had taken place between WYP, residents and local businesses following last year's Carnival and ahead of the Leeds West Indian Carnival. During these meetings, Mr Clifford reported that attendees were keen for the Carnival to flourish, however wished to be able to sleep and go to work as normal, and agreed that an appropriate closing time for parties on Saturday 24th August would be 12am on Sunday 25th August 2019. Members were informed that Mrs Flemming had attended the meetings. Mr Clifford added that members of the club would attend the Club as normal, whereas owing to the premises only having a Club Premises Licence, non-member ticket holders would be queuing outside the venue leading up to 11pm which would create further noise. Andy Clifford explained that all TEN applications received so far for Carnival weekend were in line with the proposed hours showing local business and applicants accepted the recommended operating hours. His final submission to the committee was that if this event was permitted, it would undermine all the work WYP have done with the community in respect of event starting times and that this application would undermine the prevention of public nuisance licensing objective.

In answer to a query regarding complaints prior to 23rd June 2019, the Environmental Protection Team advised Members of an issue in 2014 regarding unlicensed events at the premises, resulting in complaints of antisocial behaviour and loud music. There had not been any complaints for some time as the Club had not held events for a while save for a recent event in June which generated one noise-related complaint. Mr Hamilton felt that there had been some confusion amongst local residents between Soca Village (the events company run by Mrs Flemming) and the Caribbean Cricket Club, as he had not heard of any complaints since the opening of the club in 1988.

Members were informed that the event would not go ahead if the TEN was not granted, and that the Saturday night was chosen due to Soca Village hosting another party on the Sunday, when the agreed ending time for celebrations following the WYP consultation was 2am. Members were advised that within West Indian tradition, events such as these typically take place from 9/10pm until around 2am, and therefore an earlier closing time would not be appropriate.

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

RESOLVED – That the counter notice be issued.

7 Certification of Films - Everyman Cinema, Trinity Shopping Centre, Leeds

This application was withdrawn prior to the meeting.