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**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: Tuesday 26th March 2019**

**Subject: Temporary Event Notice for Juicy Gossip, 5 Briggate, Leeds, LS1 4AF**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

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**Summary of Main Issues**

This report advises Members that a temporary event notice has been received and West Yorkshire Police have served an objection notice on the grounds of crime and disorder.

The event notice has been submitted to allow the provision of Late Night Refreshment at 5 Briggate, Leeds, LS1 4AF, for a premises operating as a takeaway.

The application has attracted an objection from West Yorkshire Police who are satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.

Members of the Licensing Sub-Committee are asked to consider the temporary event notice and the objection notice.

## **1 Purpose of this Report**

- 1.1 To advise Members of a temporary event notice served under section 100 of the Licensing Act 2003 ("the Act") in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of an objection notice from West Yorkshire Police.

## **2 History of Premises**

- 2.1 These premises do not have the benefit of a premises licence, however since March 2017 the Licensing Authority has received a total of three applications which have been either refused or withdrawn.
- 2.2 The first application received on the 3rd March 2017 was withdrawn by the applicant prior to it reaching hearing.
- 2.3 The second premises licence application received on 16th August 2017 attracted representations from West Yorkshire Police, the Licensing Authority and the Environmental Protection Team. These representations remained outstanding the application proceeded to hearing where Members resolved to refuse the application entirely.
- 2.4 The most recent application for a premises licence was received by the Licensing Authority on 26th October 2018 and proposed the provision of Late Night Refreshment Monday to Sunday 23:00 until 05:00 hours.
- 2.5 The application received representations from West Yorkshire Police, the Licensing Authority, Planning and local residents. However the applicant's representative completely withdrew the application before it reached hearing.

## **3 The Temporary Event Notice**

- 3.1 The proposed premises user is Mr Mahboob Hussain.
- 3.2 A copy of the temporary event notice is attached at Appendix A.
- 3.3 In summary the temporary event notice is for:

Provision of Late Night Refreshment  
Saturday 30th March 2019  
From 00:00 until 05:00 hours  
Sunday 31st March 2019  
From 00:00 until 05:00 hours

The maximum capacity for the event is 17 persons including staff.

- 3.4 The location of the premises can be seen on the map at Appendix B.

## **4 Representations**

- 4.1 West Yorkshire Police and LCC Environmental Protection Team have received a copy of the notice.
- 4.2 West Yorkshire Police consider that allowing the premises to be used in the manner set out in the temporary event notice will undermine the prevention of crime and disorder and have therefore issued an objection notice.
- 4.3 The objection notice provide by West Yorkshire Police expresses concerns that the premises user is committing offence on a constant basis under Section 136 of the Licensing Act 2003 and is in breach of planning permission. The objection notice also provides a chronology of incidents connected to the premises.
- 4.4 A copy of the objection notice is attached at Appendix C.

## **5 Equality and Diversity Implications**

- 5.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **6 Options Available to Members**

- 6.1 The Licensing sub-committee must take such of the following steps as it considers appropriate to promote the licensing objectives:
- Issue a counter notice against the event in order to prevent the event from taking place; or
  - Allow the event to take place.

## **7 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy