



# Notice of Decision

## of the Licensing Sub Committee

### Interim Steps

<b>Date of Hearing:</b>	<b>Friday 16<sup>th</sup> July 2021</b>
<b>Determination Date:</b>	<b>Friday 16<sup>th</sup> July 2021</b>
<b>Notice of Decision:</b>	<b>Friday 16<sup>th</sup> July 2021</b>
<b>Members:</b>	Cllr P Wray Cllr A Hutchison
<b>Legal Officer(s):</b>	Philippa Murray, Principal Legal Officer
<b>Summary Review application made by:</b>	West Yorkshire Police
<b>Premises review relates to:</b>	The Old Red Lion, York Road, Leeds LS14 2AD
<b>Premises Licence Holder:</b>	Gibo & Jays Lions Den Ltd

West Yorkshire Police having made an application for summary review of the premises licence of The Old Red Lion, York Road, Leeds, LS14 2AD pursuant to s.53A of the Licensing Act 2003, members of the Council's Licensing Sub-Committee (herein referred to as "the Committee") convened to consider whether it was necessary to take interim steps pending the determination of the substantive application.

Members of the Licensing Sub-Committee had been provided in advance with a copy of the Report of the Chief Officer Elections and Regulatory. Appended to that Report were copies of the following:

- A copy of the premises licence
- An application submitted by West Yorkshire Police ("WYP") for a summary review of the premises licence
- A certificate under s.53A(1)(b) of the Licensing Act 2003 from a senior officer of WYP that in the opinion of that officer the premises are associated with serious crime
- A copy of the Home Office Summary Review Guidance

Only two members of the Licensing Sub Committee were available for the meeting. Many requests for further members had been made by those organising the meeting but to no avail.

The meeting therefore proceeded with two members only on the basis that in the absence of agreement no interim steps could be taken.

The West Yorkshire Police were not present at the meeting. Information was sought during the meeting by email of the officer PC Clifford concerning the time of the incidents taking

place at the premises on 10<sup>th</sup> and 11<sup>th</sup> July 2021. They were said to be 20.45 and between 20.45 – 00.00 respectively.

The Premises Licence Holder was not present at the meeting and had made no representation.

The Committee noted the reasons for the application for review set out by the West Yorkshire Police and that they seek immediate suspension of the premises licence.

### Decision

The Licensing Sub-Committee resolved to exclude the following licensable activities from the scope of the premises licence with immediate effect:

- The sale by retail of alcohol
- The performance of live music
- Entertainment similar to live music, recorded music or dance.

### Reasons

The Licensing Sub Committee found that the recent incidents of violence associated with the premises were serious, had caused serious injury and that there was a significant risk that further similar violent crimes would take place. The Committee found that interim steps were necessary to avoid further violent crimes from taking place and to promote the prevention of crime. The Committee took the view that to modify or add to existing conditions of the licence would be inadequate to address the risk of further violent offences taking place at the premises and that to remove the designate premises supervisor would have no effect on the commission of violent offences in the future. The Committee were of the view that it was necessary to discourage attendance at the premises of those involved in the commission of serious crime and to reduce the number of people attending at the premises for lawful purposes. The Committee did not want to prevent the business from functioning altogether. The Committee were of the view that to prevent the sale of alcohol, the provision of live music and similar entertainment was a proportional way of achieving this.

### Right of Appeal

There is no right of appeal at this stage of the summary review process however the premises licence holder may make representations against the interim steps taken by the licensing authority.

On receipt of such representations the licensing authority must (if the representations are not withdrawn) hold a hearing within 48 hours of their receipt.

Further information on making representation against the interim measures can be found in the guidance issued under S182 of the Licensing Act 2003.