



**Democratic Services**

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**APPLICATION FOR THE GRANT OF A PREMISES LICENCE: "CAFFE RITAZZA"  
GROUND FLOOR ADJACENT TO ARRIVALS LEEDS BRADFORD AIRPORT,  
WHITEHOUSE LANE, YEADON, LEEDS LS19 7 TU**

On the 19<sup>th</sup> May 2009 the Licensing Sub-Committee dealt with an uncontested application made by SSP Air Limited, 169 Euston Road, London NW1 2AE for the grant of a premises licence in respect of the premises to be known as "Caffe Ritazza" Ground Floor adjacent to Arrivals, Leeds Bradford Airport, Whitehouse Lane, Yeadon Leeds LS19 7TU. That part of the airport currently benefited from a premises licence in respect of the O'Brien's premises; however the applicant indicated their intention to surrender that Premise Licence Number 1283 if this application for Caffe Ritazza was granted.

The applicant sought the following:

**Proposed Hours and Licensable Activities**

Provision of Recorded Music; Supply of alcohol (both on and off the premises)

Sunday to Saturday 00:00 hours to 24:00 hours

Provision of Late Night Refreshment

Sunday to Saturday 23:00 hours until 05:00 hours

**Proposed Times When the Premises is Open to the Public**

Sunday to Saturday 00:00 hours until 24:00 hours

In effect, the premises will be open 24 hours per day, 7 days per week all year round  
This letter represents the formal decision of the Sub-Committee in respect of the application.

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### **Preliminary Procedural Issues**

The Sub-Committee considered preliminary matters of a purely procedural nature. There were no declarations of interest made. The Sub-Committee agreed that the procedure for the hearing would not be varied. The Sub-Committee then decided to exclude the public from that part of the meeting where Members would deliberate on the application as presented. This would allow them to have a full and frank discussion on all matters put before them and this fact outweighed the public interest in not doing so.

Prior to the hearing that Sub-Committee had considered the Licensing Officers report which included a copy of the application as submitted. The report also included a representation received from West Yorkshire Police.

The Sub-Committee then went on to consider the application

### **The Hearing**

The Sub Committee noted the applicant had agreed to the following conditions intended to address the prevention of crime and disorder objective proposed by West Yorkshire Police (WYP).

- 1) Adopt the Check 21 proof of age scheme in accordance with guidance issued by West Yorkshire Police
- 2) Operate an effective CCTV system to be maintained in accordance with guidelines issued by West Yorkshire Police
- 3) Secure CCTV footage will be made secure and retained for a period of 31 days and supplied to West Yorkshire Police upon request
- 4) A supervisors register will be maintained at the licensed premises, showing the names, addresses and up to date contact details for the DPS and all personal licence holders
- 5) The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that the licensed activities are carried out, and this information will be retained for a period of 12 months and produced for inspection on request to an authorised officer
- 6) The licensee will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour and ejections from the premises
- 7) The Incident Report register will contain consecutively numbered pages, the date, time and location of the incident, details of the nature of the incident, to whom the incident was reported, the name and numbers of any police officers attending, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident
- 8) The Incident report Register will be produced for inspection immediately on the request of an authorised officer
- 9) All refusals of sales of alcohol will be recorded in a refusals register. The register will contain the following details:- The time, day and date the refusal was made, the name and address of the staff member refusing the sale, the name and address of the person attempting to buy the alcohol (where supplied), the full description of said person and full details of the alcohol they attempted to purchase

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- 10) The refusals register must be produced upon request to the Police or a relevant officer of a Responsible Authority
- 11) Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly
- 12) Written notices will be displayed which inform customers that open bottles or glasses may not be taken off the premises.

Members noted receipt of an e-mail from A Pickersgill, WYP Licensing Officer, stating the conditions had been agreed with an amendment to Condition No.6 at the request of the applicant to read:

“The licensee will ensure that an Incident Report Register is maintained on the premises to record incidents of crime and disorder such as anti social behaviour and ejections from the premises”.

As such WYP had withdrawn their representation and none of the parties attended the hearing.

In determining the application the Sub-Committee took into account the written submissions contained within the report and the Notices of Hearing. These had been circulated to the parties prior to the hearing.

After considering the evidence and submissions the Sub-Committee would need to satisfy itself that granting the variation would promote the licensing objectives. In reaching its decision, the Sub-Committee had regard to the provisions of the Licensing Act 2003, guidance under Section 182 of that Act and the council’s own Licensing Policy.

In particular the Sub-Committee took into account Sections 17 & 18 of the Act because these were the most relevant to the application and Chapter 2 of the Guidance relating to the prevention of crime and disorder.

The Sub-Committee then went on to consider the following sections of the Licensing Policy as the Sub-Committee took the view that these paragraphs had a bearing on the applications:

- Section 6 General Principles
- Section 12 Promotion of the Licensing Objectives

## **The Decision**

The Sub-Committee discussed the application and noted the agreements reached between the applicant and WYP over the proposed conditions. Members noted that WYP had confirmed the conditions proposed by them and agreed by the applicant referred to matters not covered by other legislation.

After careful consideration, and having regard to the location of these premises, the decision of the Sub-Committee was to grant the application as applied for, with a minor amendment to clarify that the conditions to be included within the Operating Schedule would apply whilst licensable activities took place. The Sub Committee felt this amendment was appropriate to show when the conditions would be applicable and enforceable.

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In making its decision the Sub-Committee was satisfied that the grant of the licence was in line with the Council's own Licensing Policy and the provisions of the Licensing Act 2003.

There is a right of appeal to the Magistrates Court should you be dissatisfied with the decision made by the Sub Committee. You must make this appeal within 21 days of this letter reaching you.

Appeals should be addressed to the Magistrates Court at:

Clerk to the Justices  
Leeds Magistrates Court  
Westgate  
Leeds  
LS1 3JP

and accompanied by a copy of this decision letter and the court fee of £400.00 if you are the premises licence holder and £200.00 for all other parties. Cheques should be made payable to HMCS.

Yours sincerely

**Helen Gray**  
**Governance Services Officer**