



Mr P J Grantham
The New Inn
68 Otley Road
Far Headingley
LEEDS LS6 4BA

Chief Executive's Department
Governance Services
4th Floor West
Civic Hall
Leeds LS1 1UR

Contact: Helen Gray
Tel: 0113 247 4355
Fax: 0113 395 1599
Email: helen.gray@leeds.gov.uk
Your reference:
Our reference: A61/hg/NewInn TEN

Dear Mr Grantham

TEMPORARY EVENT NOTICE – THE NEW INN – 68 OTLEY ROAD, FAR HEADINGLEY, LEEDS LS6 4BA

On 20th November 2006 the Licensing Sub Committee met to consider a Police objection notice in relation to a Temporary Event Notice (“the Notice”) submitted by Mr Peter John Grantham. The proposed temporary events were to take place at The New Inn.

The proposed licensed activities were as follows:

- The sale by retail of alcohol (for consumption on the premises) and the provision of late night refreshment:

All three events to run from 00:00 until 11:00 of the final day on the following dates:
23rd, 24th and 25th November 2006
1st, 2nd and 3rd December 2006
14th, 15th and 16th December 2006

This letter represents the formal decision of the Sub Committee in respect of the Police objection to the Temporary Event Notices.

Preliminary Procedural Issues

The Sub Committee considered preliminary matters of a purely procedural nature.

There were no declarations of interest made. The Sub Committee then decided that the procedure for the hearing would not be varied.

The Sub Committee decided to exclude the public from that part of the hearing 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. It should be noted that Mr Hood, representing Far Headingley Village Residents Association, attended the hearing as an observer



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Prior to the hearing the Sub Committee had considered the Licensing Officers Report and Police objection notice from West Yorkshire Police.

The Sub Committee permitted each party 10 minutes in which to make their case. This time limit was imposed having regard to the relevant Regulations and in the interests of consistency and the efficiency of business.

The Sub Committee then went on to consider the application.

The Hearing

The Sub Committee considered the Notice and verbal submissions from Mr Grantham, the premises user, which addressed the comments of the Police.

In determining the application the Sub Committee took into account written submissions from the Police as the relevant responsible authority. These had been circulated to the Parties prior to the hearing.

After considering the evidence and submissions the Sub Committee needed to satisfy itself that granting the Notice would promote the licensing objectives.

In reaching this decision the Sub Committee had regard to the provisions of the Licensing Act 2003, guidance under s182 of that Act and the Council's own Licensing Policy.

In particular the Sub Committee took into account Part 5 of the Act, particularly Section 105 of the Act because this was the most relevant to the application, and Chapter 8 of the Guidance relating to the Temporary Event Notices.

The Sub Committee then went onto consider the following paragraphs of the Licensing Policy as the Sub Committee took the view these paragraphs had bearing on the application:

10:06 to 10:08 Police Intervention

Reasons for the decision and decision

Sergeant A Pickersgill represented West Yorkshire Police (WYP) and addressed the Sub Committee with her concerns over the proposed events. Sgt Pickersgill submitted that allowing the proposed events to take place would undermine the crime prevention objective.

Sgt. Pickersgill began by reminding Members that the premises lay within the Headingley Cumulative Impact Policy and Designated Public Places Order areas. She informed Members that the Police objection was based upon the premise being in a predominantly residential area which suffered from significant levels of nuisance and anti-social behaviour.

Sgt Pickersgill stated there had been 60 arrests for drunk and disorderly behaviour within a one-mile radius of this premises between October 2005 to 2006. She referred to the crime statistics provided in her written submission and outlined further reported crimes and incidents from within this premises, several of which apparently emanated from sports related arguments, including assaults and threats to kill. She suggested that the situation would be aggravated further, especially during the run-up to Christmas, if this premises were granted permission to open all night on these three occasions. Any further hours would subsequently affect and cause disturbance to local residents. Sgt Pickersgill referred to an application to vary the existing Premises Licence dealt with at a Sub Committee hearing on 30th October

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2006. This application had received a significant number of objections from local residents, and the Sub Committee had subsequently refused the application

Sgt Pickersgill reported that there was no CCTV system at the premises which could assist with the objective to prevent crime and disorder. She stated that allowing this application could set a precedent for applications of a similar nature from other premises in the area. To conclude, and in answer to a query from the Sub Committee, Sgt Pickersgill stated that the incidents and offences which had occurred at the premise were serious and it was therefore proper that WYP should raise an objection to the proposed temporary events and request a hearing as, coupled with the overall prevalence of disturbance within the surrounding area, the Police felt that granting the three notices would undermine the crime prevention objective.

Mr Grantham, the premises user of The New Inn then addressed the Sub Committee. He explained that the three temporary events were requested in order for a local university cricket team which had close links with the premises to watch the forthcoming Ashes Cricket Tour live. The Test matches were being held in Australia, and the time difference necessitated the hours requested. He stated the events would not be open to the public, not advertised and entry would be ticketed. Tickets would be sold only to cricket team members and he estimated that only 20 to 30 tickets would be sold. He confirmed that he had requested a capacity of 100 persons but had done so following advice from Greene King, the Company which owned the premise, as the premise had a 100-seated capacity. Tickets would be sold at a cost of £15. This would be shared between the premises which would retain £5.00 to cover staff costs and the provision of food. The Cricket Club would then keep the remaining £10.00

Mr Grantham then addressed matters relating to the Cumulative Impact Policy. With regards to crime and disorder and public nuisance, he submitted that the events would not add to the existing disturbance within the locality, as these would be ticketed events. The ticket holders would be within the premise between 00:30 hours until approximately 07:00 hours and most likely would not leave between those hours, as they would then forfeit the ticket price. There would be no need for people to leave the premises to purchase food from late night take aways as it was his intention to provide food.

With regards to noise disturbance, Mr Grantham stated the premises benefited from a car park; furthermore he had contacts with Amber Cars, a local private hire firm, to arrange the pick up of attendees at the end of the event who would not sound the car horns. Finally, the premises were situated on a busy "A" road and attendees would be dispersing during daytime hours and into normal and noisy peak time traffic so would not add to noise at that time of day.

Mr Grantham explained that as the Test Matches would be screened on television, noise from the coverage would be controlled by the television. The premise was separated from some of the residents by the "A" road already referred to.

With regard to CCTV, Mr Grantham confirmed that there was no CCTV system. He stated that he would be willing to provide WYP with the names and addresses of all persons who bought a ticket to the events, and accept a reduction of the overall requested hours or any conditions, in order to assist with the promotion of the crime and disorder objective. He also added that in general if any member of the cricket team committed a crime they would be removed from the team and the specialist university course.

Turning to the number of incidents reported by WYP, Mr Grantham explained the one-mile radius around this premises included a large number of other premises. With regards to

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those incidents specifically attributed to The New Inn, he stated that he had recently become the DPS at the premises, and had not been in charge at the time these occurred. He also queried whether it was a valid that one crime of wounding 9 months ago should prevent these temporary events from being held. He then gave a brief history of his experience in the licensing trade and outlined how he had managed other premises in Manchester and Newcastle. It was now his intention to settle in Leeds.

In conclusion, Mr Grantham reiterated that the three temporary events were required purely for the Cricket Team to be able to watch the Ashes Test live on TV. He believed that as the members of the Team were team mates and friends, there would be no disorderly incidents between them, and that as the events would be held indoors and involve small numbers of attendees the events would not constitute a noise nuisance nor exacerbate disturbance in the local area.

The Sub Committee commented that as the application had been made for a 100-person capacity, that was the application that would be considered, and although Mr Grantham had provided assurances that the maximum attendees would be 30 persons, they still had concerns that further tickets to the 100 capacity could be sold. The Sub Committee noted that as this was Temporary Event, no restrictions could be placed on the granting of the notices, nor conditions. They further commented that the applicant could have arranged a private party for the Cricket Team without the need for a Temporary Event Notice, although acknowledged that alcohol could not be sold under such an arrangement. Mr Grantham added that this would not be acceptable to Greene King

The Sub Committee considered the written and verbal evidence submitted by the Police as objection to the application alongside the verbal submissions made by the applicant at the hearing.

Having heard all the evidence before them, the Sub Committee were persuaded by the sustained view of the Police that granting three separate notices for the events would undermine the crime prevention objective and add to the potential for crime and disorder and public nuisance in the vicinity. Therefore the Sub Committee resolved to refuse all three applications for Temporary Event Notices.

The Sub Committee instructed that the premises user be issued with a Counter Notice in order to promote the crime prevention objective. This has since been issued to the applicant by Leeds City Council's Licensing Department.

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 £75.00.

Yours faithfully,

Helen Gray
Clerk to the Licensing Sub Committee