

Licensing Sub-Committee

Tuesday, 1st June, 2010

PRESENT: Councillor S Armitage in the Chair

Councillors A Castle and M Dobson

1 Election of the Chair

Councillor S. Armitage was elected as Chair of the Sub-Committee for the duration of the hearing.

RESOLVED: Councillor S. Armitage in the Chair.

2 Late Items

There were no items identified as being late however the solicitor for the applicant in relation to 'Brooklyn Bar' had submitted additional information in support of their application.

3 Declarations of Interest

No interests were declared.

4 "The Becketts" - Application for the Grant of a premises Licence in respect of The Becketts, Unit 607, Meanwood Road, Meanwood, Leeds LS6 4HQ

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "The Becketts", Unit 607, Meanwood Road, Meanwood, Leeds, LS6 4HQ. The Sub-Committee resolved to deal with the written submissions of the objector who was not in attendance.

The Sub-Committee first heard from Mr. I. Fozard, the applicant, who advised Members the premise was within a new building which had been designed to minimise acoustic transfer to the apartments above. The premise was intended to be wine bar/restaurant similar to other venues the applicant owned throughout Yorkshire selling high quality and non-mainstream products to attract a specific clientele. Mr. Fozard stated he had met with a senior Environmental Health Officer who had been satisfied with the building and the measures in place to minimise the transfer of noise. Mr. Fozard felt that the premises would help rejuvenate the area.

Following careful consideration of the facts of the case the Sub-Committee resolved to grant the premises licence as requested. The Sub-Committee was satisfied that the grant of the premises licence would not undermine the Licensing Objectives.

RESOLVED: That the premises licence be granted as requested.

5 "Brooklyn Bar" - Application for the Grant of a Premises Licence for Brooklyn Bar, 50 Call Lane, Leeds LS1 6DT

The Sub-Committee, having regard to the Licensing Act 2003, the Statement of Licensing Policy and the Statutory Guidance, considered the application and the written submissions before them relating to an application for the grant of a Premises Licence for "Brooklyn Bar", 50 Call Lane, Leeds LS1 6DT. Members noted the venue had previously held a premises licence but that licence had lapsed since the previous premises licence holder had gone into administration. This application was to replicate the previous premises licence.

The Sub-Committee first considered the representations from those who had objected to the application. Present were Mr. P. Lane, Mr. I. Appleyard (Inventive Leisure Ltd) and Mr. Dadds, solicitor representing Inventive Leisure Ltd.

The Sub-Committee heard from Mr. Dadds that there was an outstanding issue between the applicant and other nearby premises licence holders in terms of the ownership and the external areas around the premises. There was a concern that smokers would be directed to use an area in the shared courtyard which would infringe on the land of the other businesses in the area. There was also a concern regarding how customers of different premises would be controlled in the courtyard area if the applicant also used this area. Mr. Dadds asserted that he felt that in order to protect the customers of his clients premises then the premises licence should only be granted in accordance with the plans submitted by the applicant to the Licensing Authority which did not include proposals to licence the external area. Mr. Dadds also referred to the Section 182. Guidance and in particular to paragraphs 1.26 and 2.4.

The Sub-Committee then went on to consider the representations made by Mr. P. Lane who represented a local business. Mr Lane stated he was concerned the premises lay within the Cumulative Impact Policy area and that there were already sufficient bars in the area to the point where Call Lane had reached saturation levels. Policing commitments were already high in the area however if the premises was food led then there was less of a concern regarding the premises.

The Sub Committee then heard representations from Mr. P. Whur, solicitor for 68 William Street Ltd. Mr. Whur confirmed that the applicant was not looking to conduct licensable activities in the external areas and therefore the application did not include the external areas. However the particular piece of land whose ownership was in dispute would not be used by the premises. However if there were concerns regarding the use of the land then this would be covered by other legislation. The applicant had met with the responsible authorities and had agreed to the conditions proposed. There had been a previous issue with the restaurant area which would be resolved. In essence the premises would run the same as the previous premises however the restaurant area had been switched.

Following careful consideration of the verbal and written submissions the Sub-Committee was satisfied that the CIP was not triggered as the premises was

not a large capacity vertical drinking establishment. The Sub-Committee noted that the application was for the internal area of the premises and did not include any external areas for the purposes of licensable activities. The Sub-Committee resolved to grant the premises licence as requested subject to the conditions agreed with West Yorkshire Police. The Sub-Committee was satisfied that the grant of the premises licence with the conditions would not undermine the Licensing Objectives.

RESOLVED: That the premises licence be granted as requested subject to the conditions agreed with West Yorkshire Police.