

## Licensing Sub-Committee

Monday, 9th July, 2012

**PRESENT:** Councillor G Hyde in the Chair

Councillors K Bruce and R Downes

### 33 Election of the Chair

**RESOLVED** – Councillor G Hyde was elected as Chair for the meeting.

### 34 Late Items

The following late information was submitted and considered:

- Agenda Item 8 – 249-251 Harehills Lane – Additional submission from the applicant.
- Agenda Item 9 – Miss Brown's Coffee House – Additional submission from the applicant.

### 35 Declarations of Disclosable Pecuniary and Other Interests

There were no declarations of disclosable pecuniary or other interests.

### 36 Application to transfer a premises licence for Groucho Club Leeds, 4 Sovereign Place, Leeds, LS1 4SP

The report of the Head of Licensing and Registration presented an application to transfer a premises licence for Groucho Club Leeds, 4 Sovereign Place, Leeds. An objection to the transfer of the licence had been received from West Yorkshire Police.

The applicant was not present at the hearing and the sub-committee resolved to hear the application in their absence. Following a presentation of the application West Yorkshire Police made their representations.

The following issues were highlighted:

- West Yorkshire police would also be objecting to an application for Designated Premises Supervisor at the premises.
- Reference was made regarding concerns of West Yorkshire Police in relation to the applicants previous history of running premises in and around Leeds and crime and disorder related to those premises.
- Officers had tried contacting the applicant before the hearing without success.

**RESOLVED** – That the application to transfer the premises license be refused.

### 37 Application to vary a premises licence for Groucho Club Leeds, 4 Sovereign Place, Leeds, LS1 4SP to specify an individual as designated premises supervisor

The report of the Head of Licensing and Registration presented an application to vary a premises licence for Groucho Club Leeds, 4 Sovereign Place, Leeds. An

objection to the transfer of the licence had been received from West Yorkshire Police.

Further to the previous hearing in which the transfer of the premises licence had been refused, it was reported that it was not possible to vary the licence.

**RESOLVED** – That the application could not be determined.

**38 Application for the grant of a premises licence for Harehills Lane Foods, 249-251 Harehills Lane, Harehills, Leeds, LS8 3RG**

The report of the Head of Licensing and Registration presented an application for a premises licence at Harehills Lane Foods, 249-251 Harehills Lane, Leeds for the sale of alcohol from 0900 to 2100 hours. A representation to the application had been made by West Yorkshire Police but agreement had now been reached following their concerns. Objections to the application had also been received as had a letter of support. There were no objectors to the application present at the hearing.

The procedures of the hearing were outlined along with a verbal presentation of the application.

The applicants representative was invited to address the hearing. The following issues were highlighted:

- The application had no previous convictions.
- The request for the sale of alcohol was to compliment food sales.
- The applicant had agreed to conditions as proposed by West Yorkshire Police.
- It was felt that some of the objections received had presented genuine objections and had been submitted on identical forms.

In response to Members comments and questions, the following issues were discussed:

- The applicant had previously had a licence to sell alcohol elsewhere.
- The applicant was willing to operate a Check 21 system to prevent the sale of alcohol to under age persons.

**RESOLVED** – That the application be granted subject to the inclusion of conditions as agreed with West Yorkshire Police.

**39 Application to vary a premises licence held by Miss Browns Coffee House, 152 Chapeltown Road, Chapeltown, Leeds, LS7 4EE**

The report of the Head of Licensing and Registration presented an application to vary a premises licence at Miss Brown's Coffee House, Chapeltown Road, Leeds. The application was to vary the hours for sale of alcohol on the premises as follows:

- 07:30 to 23:00 Sunday to Friday
- 07:30 to 23:30 Saturday.

- None standard timings to allow for an additional hour on bank holidays and days preceding bank holidays.

Representations to the applicant had been made by the Council's Environmental Protection and Development Departments.

Procedures to be followed at the hearing were outlined and a verbal presentation of the application along with the previous licensing history was given.

The applicant and their representative were invited to address the meeting. The following issues were highlighted:

- The application had the support of the police.
- The application was to give the opportunity for flexibility and the full hours would not be used every day.
- The applicant had to constantly apply for Temporary Event Notices for bank holidays due to their present licence.
- Attention was brought to nearby premises that had later licences.
- The applicant expressed frustration at having to close the premises when others were opening and the area was becoming busy on an evening.

The Development Department representative addressed the meeting. He raised the following issues:

- Close proximity of residential properties.
- Development Department concerns were based on the additional hours at bank holidays only.
- Nearby premises that operated later licences were classed for different uses.
- In response to Members questions, it was confirmed that neighbouring premises that traded as a nightclub fell under a different class use and the Development Department had no control over their operations.

The Environmental Health representative addressed the meeting. He raised the following issues:

- Prior to the premises being licensed in 2010 there had been complaints regarding noise and consumption of alcohol at the premises. Meetings had been held with the applicant and West Yorkshire Police following these complaints which were made on disturbance up until 02:00. The planning class of the premises prior to being licensed was for use as a dwelling.
- The hours of opening applied for were late for premises classed as a restaurant.
- Sound insulation at the premises was considered satisfactory.
- The nearby nightclub premises had excellent sound insulation and Environmental Protection did not receive complaints regarding noise from those premises. There had been previous complaints regarding another nearby premises and should there be further, these would be investigated.

In response to comments and questions to the Environmental Protection Officer, the following issues were discussed:

- That extra hours would be used every Bank Holiday which could lead to an increase in complaints.
- The most recent complaint regarding the premises had been in March 2012.
- The majority of complaints against the premises had been before the premises were first licensed in 2010.

The applicant and their representative were invited to summarise their case. The following issues were highlighted:

- There had been no objections to the application from residents or the Police.
- Extended hours could be applied for up to 12 times per year by the means of Temporary Event Notices (TENs). The Police had previously not objected to any TENs applied for.
- The intention was to continue operating as a restaurant and not a nightclub.
- There were up to 8 other premises in the area that operated until the early hours of the morning.
- The application was to extend the hours of operation for the sale of alcohol only. The provision of music would still finish at 22:00 in line with the current licence.

**RESOLVED-** That the application for the sale of alcohol from 07:30 to 23:00 on Sunday to Friday and 07:30 to 23:30 on a Saturday be approved. That the application for none standard timings to allow for an additional hour on bank holidays be refused.

**40 Application for the grant of a premises licence for Old Leodensian Community Amateur Sports Club, King Lane, Alwoodley, Leeds, LS17 5PR**

This item was withdrawn prior to the meeting.