

Licensing Sub-Committee

Monday, 20th April, 2015

PRESENT: Councillor B Gettings in the Chair

Councillors J Dunn and M Harland

121 Election of the Chair

RESOLVED – Councillor B Gettings was elected as Chair for the meeting

122 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents

123 Exempt Information - Possible Exclusion of the Press and Public

The agenda contained no exempt information

124 Late Items

No formal late items of business were added to the agenda.

125 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests

126 82 North Street, Leeds - Application for the Grant of a Premises Licence for 82 North Street, Sheepscar, Leeds, LS2 7PN

The Sub Committee considered the report of the Head of Licensing and Registration on an application for the grant of a Premises Licence for the premises at 82 North Street, Sheepscar, Leeds LS2 7PN.

The application had attracted representations from the responsible authorities and members of the public. Prior to the hearing, the applicant had agreed to undertake measures proposed by West Yorkshire Police, the Environmental Protection Team and the Health and Safety Team to address the licensing objectives relating to crime and disorder; public nuisance and public safety. In view of this, the responsible authorities had withdrawn their representations on the understanding that the agreed measures would be included within the premise licence, should it be granted at the hearing.

The applicant – Mr J Pell-Ilderton attended the hearing and was accompanied by Mr N Lofts who was the proposed manager of the premises. Mr G Ford attended the hearing on behalf of local residents.

Both parties presented additional information in support of their representations, which was accepted by all present as follows:

- Photographs of the site and additional signatories objecting to the application – tabled by Mr Ford
- A Noise Impact Assessment dated 13 April 2015 – tabled by Mr Pell-Ilderton

The Sub Committee heard from Mr Pell-Ilderton and Mr Lofts in respect of the food-led style of operation proposed for the premises, Mr Loft's previous experience in the licensing trade, the proposed £200k refurbishment and their

intention to be a good neighbour to local residents. The Sub Committee received assurance that this would not be a music led venue. The applicant explained the reasoning behind the initial application – submitted in order to provide flexibility of the use of the three floors of the premises – and for amending the application on receipt of the representations from local residents.

In answer to queries from the Sub Committee the applicant clarified the following:

- The intention to now close the premises 00:00 midnight, with last orders for alcohol sales at 23:30
- The applicant envisaged the requested off-licence provision would only be used when diners asked to purchase a bottle of wine at the end of their meal
- The 210 covers would be the maximum capacity of the premises,
- The findings of the noise assessment. The applicants anticipated that the planning permission process would indicate appropriate noise attenuation measures

The Sub Committee then heard from Mr Ford, owner of a local business and also landlord to residents of St Thomas House, immediately adjacent to 82 North Street. Mr Ford explained that St Thomas House shared a party wall with No. 82 and went onto express concern over perceived noise nuisance; highlighting the proximity of the residents of both St Thomas House and Mackintosh House to the premises and referring to the photographs he tabled at the meeting. Mr Ford described his previous experience as landlord of other residential sites close to licensed premises; and incidences of noise emissions from this venue when it previously operated as a church facility.

During discussions, the Sub Committee considered the following:

- Noted that no noise nuisance complaints had previously been made by residents to the Environmental Protection Team
- The provisions of Temporary Event Notices (TENs)

The Sub Committee carefully considered the application and the representations submitted and noted the agreements reached between the applicant and the responsible authorities and

RESOLVED – To grant the application as amended by the applicant:

To clarify:

Provision of all licensable activities to cease at 23:30 every day

Hours premises is open 11:00 until 00:00 midnight every day

Provision of Live Music will not be included on the Premises Licence

Conditions – Those measures agreed by the applicant with the responsible authorities prior to the hearing will now be included on the Premises Licence to address the licensing objectives relating to crime and disorder; public nuisance and public safety.