

## **Licensing Sub-Committee**

**Tuesday, 16th June, 2015**

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

Councillors M Harland and C Townsley

### **4 Election of the Chair**

**RESOLVED** – That Councillor Hyde be elected to Chair the Licensing Sub-Committee for the duration of the meeting.

### **5 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspection of documents.

### **6 Exempt Information - Possible Exclusion of the Press and Public**

There were no exempt items.

### **7 Late Items**

There were no formal late items. However, supplementary information had been received by all parties in relation to:

- Agenda Item 6 – Application for the grant of a premises licence for LS20, 91-97 Otley Road, Guiseley, Leeds, LS20 8PS.

### **8 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

### **9 Application for the grant of a premises licence for LS20, 91-97 Otley Road, Guiseley, Leeds, LS20 8PS**

The Sub-Committee considered an application made by Twisted Bars Ltd. to grant a premises licence for LS20, 91-97 Otley Road, Guiseley, Leeds, LS20 8PS.

The application had received representations from responsible authorities and other persons. Representations from West Yorkshire Police and Environmental Health were withdrawn prior to the hearing as agreements had been reached.

A representation was also received by a member of the public. The representation was based on the grounds of prevention of crime and disorder and the prevention of public nuisance as at appendix E of the submitted report.

On this occasion the objector did not attend the hearing.

John Coen of Ford and Warren Solicitors attended the hearing with his client Paul Glendenning one of the Directors of Twisted Bars Ltd.

Mr Coen informed the Committee that his client had agreed to the measures proposed by West Yorkshire Police and Environmental Health. Twisted Bars Ltd agreed to;

- Challenge 21
- CCTV

- Notice requesting patrons leave quietly
- Joining the Pubwatch Scheme

The Members were informed that LS20 was aimed at a mature clientele serving food and drinks.

The application was for sale of alcohol on and off service with entertainment of live or recorded music until midnight. Members were informed that the live music would be acoustic only.

Mr Coen informed the Committee that he had travelled round the area of the proposed bar and noted that there were residents closer in proximity to the premises than that of the objector's residence.

Members were informed that Adam Lewis would be the DPS of LS20 he had previous experience of this role.

**RESOLVED** – The Licensing Sub-Committee considered the application and the representation received from the member of the public and granted the premises licence on the basis of the application and the revised conditions set by Twisted Bars in agreement with West Yorkshire Police and Environmental Health.

**10 Application for the grant of a premises licence for Signorina 19 Merrion Street, Leeds, LS2 8JE**

This application was withdrawn in full by the applicant prior to the hearing.

**11 Application to Vary a Premises Licence held by The Alchemist, Yorkshire House, Greek Street, Leeds, LS1 5RU**

This application was withdrawn prior to the hearing as all parties had agreed to measures proposed by West Yorkshire Police and Environmental Protection Team.

**12 Application for the Grant of a Premises Licence for Turtle Bay, Unit A14, The Light, Albion Street, Leeds, LS1 8TL**

The Licensing Sub-Committee considered an application for the grant of a premises licence for Turtle Bay, Unit A14, The Light, Albion Street, Leeds, LS1 8TL.

In attendance at the hearing were:

- Tony Lyons – Solicitor, Kuits
- Stephen Entwistle – Operations Director, Turtle Bay
- Licensing Authority
- West Yorkshire Police

All parties accepted the supplementary information and also information tabled at the meeting by Tony Lyons of Kuits on behalf of Turtle Bay. The information tabled provided proposed layout of the premises.

A summary of the application can be found at 3.3 of the submitted report.

The application had been brought to the Licensing Sub-Committee as the proposed premises had attracted representations from West Yorkshire Police, Environmental Protection Team and the Licensing Authority.

Agreements had been reached over suggested measures offered by Health and Safety and the Environmental Protection Team. The operating schedule is revised to include the additional measures.

Representations of West Yorkshire Police and the Licensing Authority were on the grounds of the premises location in the 'Red Zone' of the Cumulative Impact Area.

Mr Lyons representing on behalf of Turtle Bay informed the Sub-Committee that Turtle Bay was a Caribbean themed restaurant and bar, with the focus on food not drinks.

Mr Lyons asked Members to consider an amendment to the late night refreshment application:

- 23:00 until 00:30 hours Sunday to Thursday
- 23:00 until 01:30 hours Friday to Saturday

Moving Thursday back 1 hour to match the timings of the original application for Sunday to Wednesday.

The premises was formerly the O'Neils Surf shop planning have granted permission for A3 use.

Mr Lyons informed the Members that his client had agreed measures proposed by Environmental Protection Team. His client has also agreed certain conditions proposed by the Police, to have 2 SIA door supervisors on Thursday, Friday and Saturday, to belong to the Pubwatch Scheme and the Crime Reduction Partnership.

Mr Lyons informed the Committee that Turtle Bay had a meet and greet service, with table service for both food and drinks. He informed the Committee that Turtle Bay would like to serve until midnight with no admittance to the premises after midnight except returning smokers.

My Lyons explained that Turtle Bay would have a corner entrance with 70% of floor space given over to seated dining area, a classic island bar selling 1 draught beer, 2 types of bottled beer, soft drinks and a selection of cocktails in keeping with the Caribbean theme. Members were informed that sale of drinks was approximately 10% of restaurant takings.

Turtle Bay would operate 128 covers with additional seating at the bar and outside. Use of the outside seating area for dining and drinking would finish at 11:00pm.

The restaurant and bar would employ local staff with 4 managers for busy periods.

West Yorkshire Police made their representation to the Committee as this is the first application within the Red Zone of a Cumulative Impact Area since the policy was amended in January 2015.

The area is problematic with more police dispatched to the area from 10:00pm onwards. The bars operating within this area have increased door supervision on Friday and Saturday night with street marshalls to assist police.

The dispersal element was the cause of most concern for the police in an already busy area where incidents peaked after midnight.

The police also had concerns with Turtle Bay offering 2 for 1 on cocktails from 7:00pm until closing.

The police raised concerns in relation to the choice of location by Turtle Bay as the premises had not previously been licensed and the fact that a licensed premises was currently available in the area.

The police asked the Committee to consider a reduction in hours and also to specify conditions to the licence to covers opposed to seats.

The Officer attending from the Licensing Authority made representation to the Committee highlighting the amendment to the Cumulative Impact Policy in January 2015 designating the area of the premises as part of the Red Zone.

The Officer also raised concerns in relation to 'Happy Hour' 2 for 1 cocktails and it was a new application in the Red Zone for a previously unlicensed premises.

Mr Entwistle clarified that cocktails would normally be charged at £7 each before 'Happy Hour'. Happy Hour would be 11:30am – 7:00pm and 10:00pm until closing.

He informed the Committee that Turtle Bay was a 90% food led business with approximately 3,000 meals being served a week with people purchasing food with a drink.

Mr Lyons in summing up said that the Turtle Bay was a food lead business that would offer something new and unique to the City.

Members deliberated at length, considering the application, and the representations from West Yorkshire Police and the Licensing Authority. The Members also considered the operating times of other restaurants in the area and the location of the premises within the Red Zone of the Cumulative Impact Policy.

**RESOLVED** - That the Licensing Sub-Committee after careful consideration granted the application subject to the following amendments of the operating schedule:

- Sale of alcohol – until midnight with full menu until 11:00pm Sunday to Saturday
- Late night refreshment operating hours would be
  - Sunday to Thursday – 10:00pm to 00:30am
  - Friday to Saturday – 10:00pm to 01:00am
- 2 registered door staff on Friday and Saturday
- 132 identifiable covers
- No entrance to premises after midnight Sunday - Saturday except returning smokers

- Outside seating area on Albion Street not to be used after 11:00pm