

Licensing Sub-Committee

Tuesday, 13th October, 2015

PRESENT: Councillor R Downes in the Chair

Councillors B Gettings and M Ingham

68 Election of the Chair

RESOLVED – Councillor Downes was elected Chair of the Sub-Committee for the duration of the meeting.

69 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection of documents.

70 Exempt Information - Possible Exclusion of the Press and Public

There were no resolutions to exclude the public from the meeting.

71 Late Items

There were no formal late items submitted for consideration. However supplementary information relating to Agenda Item 6 “Application to vary a premises licence held by Mustard Pot, 20 Stainbeck Lane, Meanwood, Leeds, LS7 3QY” was circulated and published prior to the commencement of the meeting.

72 Declarations of Disclosable Pecuniary Interests

No declarations were made.

73 Application to vary a premises licence held by Mustard Pot 20 Stainbeck Lane, Meanwood, Leeds, LS7 3QY

The Sub Committee heard an application to vary a premises licence held by Mustard Pot, 20 Stainbeck Lane, Meanwood, Leeds, LS7 3QY.

The Licensing Officer presented the application which informed the Sub Committee about a proposed extension to the premises, which would increase the licensed area of the ground floor and also to incorporate the first floor of the premises. No licensable hours or activities are being altered by the application.

The application had received a representation from one local resident.

The following were in attendance at the hearing:

Nicola Storey – Proposed License Holder

Charlotte Gibson – Representative form John Gaunt & Partners

Denise Creighton – Area Manager

Mr Lazenby – Objector

Ms Gibson addressed the Sub-Committee on behalf of the applicant. Issues highlighted included the following:

The application was for a modest extension to the licence area, with no change of operating hours. The extension was to the internal area only, with an increase from 65-72 covers downstairs and an additional area for 30 covers upstairs (or 60 people standing).

There had been no representations received from West Yorkshire Police or Leeds City Council.

It was confirmed that one window on the 1st floor of the property opened.

The venue had been successfully managed by Ms Storey for the past 7 years, and it was presented to the Sub-Committee that the venue was predominantly in the style of a restaurant, rather than a “vertical” drinking establishment.

Ms Gibson addressed the representation’s crime and disorder element and contended that this was more of a privacy issue which was not a licensing objective. It was put to the Sub-Committee that a tree blocked views from a window which overlooked Mr Lazenby’s property.

In terms of concerns about noise Ms Gibson confirmed that secondary glazing will be installed to windows, work was being done to the roof to reduce the escape of sound and sound proof plasterboard would be used to further reduce sound leakage.

Members asked questions about the window on the first floor which opened and which could potentially cause sound to escape and provide limited ventilation. Members discussed the possibility of air conditioning with the applicant. In discussion with the applicant Members also suggested obscure glazing or opaque self-adhesive film to ensure that people couldn’t see out of the first floor window which would address crime and disorder concerns.

The Sub-Committee then heard from Mr Lazenby who’s representations included the following:

The possibility of customers of the Mustard Pot being able to see out of 1st floor windows into Mr Lazenby’s garden which could possibly lead to items being stolen.

The issue concerning loud noise coming from the venue when people were outside smoking, leaving the premises, or, if the window on the first floor was routinely opened during parties being catered for on the 1st floor. Furthermore that this would be made worse by the increase in size of the licensed premises.

Mr Lazenby also highlighted the good relationship that he had with the management of the Mustard Pot, although he did raise concern that it was often the case that when noise preventing practices were put into place these often lapsed after a number of weeks.

Members sought confirmation that the extension had been approved by planning. Members also considered that management may wish to consider looking at the areas allocated for smoking to help alleviate some of the associated noise when people went out to smoke.

Members also felt there was a need for both sides to continue to work together.

Ms Gibson summed up for the applicant confirming that the concerns about noise made by Mr Lazenby would be taken into consideration. Furthermore that an acoustic specialist would be employed to investigate the noise concerns. It was reiterated to the Committee that there had been no objection from West Yorkshire Police and it was highlighted that crime and disorder had not been a problem for the premises. Finally it was stated that the license holder wanted the opportunity to show that the new upstairs area could be managed effectively

RESOLVED - The Licensing Sub-Committee considered the application and the representation received from the local resident and granted the variation to the premises licence subject to all windows within the licensed areas to be closed after 10pm.

The Sub Committee hoped that dialogue would continue between the management of the Mustard Pot and Mr Lazenby in order to resolve the issues of noise generated from the venue.

74 Application for the grant of a premises licence for Greek Community Hall The Greek Orthodox Church, Harehills Avenue, Harehills, Leeds, LS8 4EU

The Sub Committee considered a request to adjourn hearing the application for the grant of a premises licence for the Greek Community Hall at The Greek Orthodox Church, Harehills Avenue, Harehills, Leeds.

The Legal officer informed the Sub-Committee that it was possible for the hearing to be adjourned and invited the applicant to explain the reasons for requesting the hearing be adjourned.

The following were in attendance at the hearing:

Mr A Demetriou – Proposed Licence Holder;
Mr A Naslas – Greek Consul;
Dr C Hadjicharitou – Chairman of the Church

Ralph Nelson-Tucher – Objector

Local residents in attendance included:

Mr T Broadley
Mr A Horn
Mr P Boothman
Mrs C Boothman
Mr M Rashid
Mr K Miah
Mr M Aziz

Mr Demetriou addressed the Sub-Committee and explained the reasons for requesting an adjournment to the hearing. These included that a public meeting had been arranged for Thursday 22nd October which aimed to address all local residents concerns.

RESOLVED –The Licensing Sub-Committee resolved to adjourn the hearing in order to give the applicant chance to address the concerns of local residents. If no agreement is found the application would be heard by the Sub-Committee on Tuesday 24th November.

**75 Application for the Grant of a Premises Licence for Caffeine & Co Unit
32/33 Block H , The Boulevard, Hunslet, Leeds, LS10 1LU**

This application was withdrawn prior to the hearing as all representations had been withdrawn.