

## **Licensing Sub-Committee**

**Tuesday, 8th December, 2015**

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

Councillors M Harland and G Wilkinson

### **116 Election of the Chair**

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

### **117 Late Items**

There were no late items. Supplementary information regarding Agenda Item 6 – Application for the grant of a Premises Licence for Northern Guitars/Guitar Café at 41 Call Lane, Leeds was distributed prior to the meeting.

### **118 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

### **119 Application to vary a premises licence held by Wm Morrison Supermarkets Plc, 69 Town Street, Horsforth, Leeds, LS18 5BP**

The report of the Head of Elections, Licensing and Registration presented an application to vary a premises licence held by Wm Morrison Supermarkets Plc, 69 Town Street, Horsforth, Leeds, LS18 5BP.

The purpose of the variation was to seek approval to extend the sale of alcohol and the opening hours of the premises and to remove all embedded conditions from the current licence.

The application had attracted representations from other persons, namely Horsforth Civic Society.

The application was to extend the opening hours and sale of alcohol from 0800 to 2300 Monday to Saturday and 1000 to 2230 on a Sunday to 0600 to 0000 every day.

The applicant's representative addressed the sub-committee and informed Members that the application was for the extension of opening hours to meet public demand.

Horsforth Civic Society did not attend the meeting. They had made representations regarding concerns for public nuisance, public safety and crime and disorder.

The sub-committee acknowledged that there had not been any representation from any of the responsible authorities.

The Licensing Sub-Committee carefully considered the application, the report of the Head of Elections, Licensing and Registration, the licensing objectives and the representation from Horsforth Civic Society.

**RESOLVED** – That the application be granted.

## **120 Application for the grant of a premises licence for Northern Guitars/Guitar Cafe at 41 Call Lane, Leeds, LS1 7BT**

The report of the Head of Elections, Licensing and Registration presented an application for the grant of a Premises Licence at Northern Guitars/Guitar Café, 41 Call Lane, Leeds.

The application was for the Sale by Retail of Alcohol, Recorded and Live Music on Monday to Sunday from 1000 to 0000 hours and late night refreshment from 2300 until 0000 hours. Non-standard timings to apply from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. Following discussions with the Environmental Protection Team it had been agreed to reduce the time for Live Music with this to end at 2300 each day.

The application had received representations from West Yorkshire Police and the Licensing Authority due to the premises being located in the Red Zone of the Leeds City Cumulative Impact Area. There had also been a number of representations in support of the application.

The applicant and his representative addressed the Sub-Committee. Issues highlighted included the following:

- Northern Guitars was now the only retail shop on Call Lane – it provided a renowned business and attracted musicians who were performing in Leeds in addition to local custom.
- The proposals were to have a café bar on the ground floor of the premises with the guitar shop moving upstairs. There would also be an outdoor seated area.
- Customers would be seated in the café area and food and drink would be provided by waitress service.
- The applicant now sought to reduce the hours of opening until 2300 hours with the sale of alcohol to cease at 2230 hours. These hours would not impact on the peak times for crime as outlined by West Yorkshire Police.

A West Yorkshire Police Representative addressed the Sub-Committee. The following issues were raised:

- The representation had been made due to the premises being located in the red zone of the cumulative impact area.
- The Sub-Committee was informed of the problems with crime and disorder in the cumulative impact area particularly after 2300 hours on a Friday and Saturday.
- It was accepted that the reduced hours now sought by the applicant would not have an impact on the peak times for crime and disorder.
- The decision of whether the application was exceptional enough for the licence to be granted was for the Licensing Sub-Committee to decide.

A Licensing Authority Representative addressed the Sub-Committee. The following issues were raised:

- The representation had been made due to the premises being located in the red zone of the cumulative impact area.
- The proposed style of operation was similar to that of another premises in the red zone of the cumulative impact area which did not cause the Licensing Authority any concern. The offer of revised hours which would see the premises close before the peak hours for crime and disorder was considered to be favourable.

In summary to the application, the applicant's representative confirmed that the premises were not to be alcohol led, but guitar and music led with ancillary food and drink on offer.

The Licensing Sub-Committee carefully considered the report of the Head of Elections, Licensing and Registration, the Statement of Licensing Policy and the application itself. It also considered the representations made by the responsible authorities, the applicant and others, both in writing and at the hearing of the application. The Licensing Sub-Committee took into account the Cumulative Impact Policy and the fact that the premises were situated in the red zone. It also noted the submissions regarding the particular nature of the premises and revisions to the proposed operating schedule.

**RESOLVED** – That the application was exceptional, differing to other licensed premises in the area and that the license should be granted as per the revised hours of operation as detailed in the letter from the applicant's solicitor dated 27 November 2015 and as heard at the meeting.