

Licensing Sub-Committee

Tuesday, 23rd May, 2017

PRESENT: Councillor A Khan in the Chair

Councillors M Harland and G Wilkinson

CHAIRS COMMENT

The Chair asked that the meeting hold a minutes silence in respect of the tragic events that had happened in Manchester on the previous evening. He said that our thoughts and prayers were with those who had lost loved ones and those who had been injured.

1 Election of the Chair

Cllr. Khan was elected Chair of the Licensing Sub Committee for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no formal late items. However, supplementary information had been received in relation to Agenda Item 6 Application for the grant of a premises licence for Amico 250 Whitehall Road, Drighlington, Bradford, BD11 1BB. All parties had received copies of the information prior to the meeting.

5 Declarations of Disclosable Pecuniary Interests

No declarations of disclosable pecuniary interests were made. However, Cllr. Khan declared an other interest in relation to agenda item 8 – Application for the grant of a premises licence for Cloth Hall Court, Leeds Beckett University, Quebec Street, Leeds, LS1 2HA, as his son attends Leeds Beckett University. Minute 8 refers.

6 Application for the grant of a premises licence for Amico 250 Whitehall Road, Drighlington, Bradford, BD11 1BB

The report of the Head of Elections, Licensing and Registration asked Members to consider the application for a new premises licence for Amico 250 Whitehall Road, Drighlington, Bradford BD11 1BB. Members were advised that details of the application could be found on page 2 of the agenda.

Members were also advised that the applicant had proposed a reduction in the hours of opening due to local representations received and this information was part of the supplementary information provided by the applicant and had been given to all parties.

Members were informed that no representations had been received from responsible authorities or the local Parish Council. However representations had been received from members of the public, redacted copies of the representations were attached to the submitted report at appendix C.

Attending the meeting on behalf of the applicant were Mr Johnson and Mr Davis the husband and partner of the applicants Leonie Johnson and Philipa Mann. Also attending the meeting was Nick Germani the applicant's agent.

Mr Germani informed the Sub Committee that Amico was a small coffee shop which worked with the local community. Mr Germani went on to say that the applicants lived in the area and their children attended the local school and played in the local football team.

Mr Germani explained that they currently sell food, soft beverages and coffee and that it would be nice to be able to provide a glass of wine or a bottle of beer with food should people want it. He said that it was not the applicant's intention to turn Amico into a late night bar.

He said that they had received requests to hold baby showers, pamper nights and the local football club manager meetings.

Mr Germani said that as local residents they had been taken aback by some of the comments made. He addressed some of the issues raised by the representations received. These were as follows:-

- The venue had a capacity for 40 people
- There is no evidence of anti-social behaviour in the area including the presence of gangs
- The premises would use the Challenge 25 policy
- Wine, bottled beer and spirits would be sold there would be no draught beer
- The alcohol would be secondary to the food and coffee
- This is a family run and family orientated business.
- That the current serving area would double as the bar
- That the premises would not be open on a regular basis, only for planned events such as baby showers or birthday parties.
- Live music would be limited to acoustic singers.
- Only 2 tables are placed outside and this is afternoon only

Members were informed that the business had only been open 3 months and that the applicants would not do anything to jeopardize the business.

It was noted that this application was for licensing not planning.

Members were informed that:-

- No music would be played outside the premises
- Tables would not remain outside on an evening
- Policy for Challenge 25 would be displayed and used
- Children 16 years and under entering the premises would have to be accompanied by an adult

- Under 18 years of age would be expected to vacate the premises by 8:00pm.

RESOLVED – The Licensing Sub Committee carefully considered all the information presented to them. On the basis of the information presented the Committee granted the premises licence with the amendments to the conditions as follows:-

- Supply of alcohol – Sunday to Wednesday – 08:00-20:00
Thursday to Saturday – 08:00-22:00
- Open Hours – Sunday to Wednesday – 08:00-20:30
Thursday to Saturday – 08:00-22:30
- That children 16 years or under to be accompanied by an adult at all times
- No persons under 18 years to be on the premises after 20:00
- No tables outside beyond 19:00
- Promote Challenge 25 Policy
- Acoustic music only to be permitted on the premises
- No music outside the premises

7 Application to vary a premises licence held by Black Bull Market Place, Otley, Leeds, LS21 3AQ

This application was withdrawn prior the meeting date.

8 Application for the Grant of a Premises Licence for Cloth Hall Court, Leeds Beckett University, Quebec Street, Leeds, LS1 2HA

The Licensing Sub Committee considered the report of the Head of Elections, Licensing and Registration for a premises licence for Cloth Hall Court, Leeds Beckett University, Quebec Street, Leeds, LS1 2HA.

Members noted the following information:-

- That this was a new premises licence;
- Hours and activities were detailed at paragraph 3 of the submitted report;
- No representation had been received from responsible authorities;
- The applications had received representation from a solicitor acting on behalf of a freehold owner with business interests in the area known as Toronto Square;
- Cloth Hall Court was located within the Amber Zone cumulative impact area for Leeds City Centre.

Clare Vidler, Conference Manager, Lorraine Foster, Security Manager, and David Collett, Proposed Licence Holder were present at the meeting. Mr Collett informed the Members that the Cloth Hall Court was to be used as a conference centre as part of the Leeds Beckett University. He said that the venue had a capacity for up to 300 delegates.

Members were advised that the Cloth Hall Court would have a reception on the ground floor with areas for hospitality and exhibitions, sizeable functions rooms above, with the third floor used as office space for the University's Enterprise department and the Institute of Directors.

Mr Collet advised Members that the venue would be used for conferences with delegates invited to events. He said that the premises would not be open to the general public with the main core business being for conferences not bar facilities, not a nightclub atmosphere.

Mr Collet explained that as this was a new business they were not able to foresee the types of events that the venue would host in the future and therefore were reluctant to provide specific numbers of events in the application.

Members were informed that a bar area would be provided as and when required and that on event evenings there would be trained security staff.

Mr Neil McCann Solicitor for the objector and Juliet Petty of CBRE Managing Agent of Toronto Square attended the meeting.

Mr McCann informed the Committee that his client had the freehold of a newly converted office block next door to Cloth Hall Court. He explained the concerns that his client had in relation to the proposed licensing of Cloth Hall Court as follows:-

- Public nuisance in the form of litter and noise;
- Anti-social behaviour in the form of public urination, vomiting and drug use;
- Effects on people travelling to work the following morning after an event;
- The fact that this venue is in a cumulative impact area Amber Zone.

Mr McCann said that he had welcomed the conference call with the applicant the previous week. However this had raised some areas for concern namely the mention of late night dinners, balls and discos.

Mr McCann went on to say that his client did not consider it was appropriate or necessary to have a midnight terminal hour for the sale of alcohol, and suggested a terminal hour of 11:00pm. He said that should an event need a late licence the University could apply for a Temporary Event Notice (TEN) as required.

Mr McCann said that his client appreciated that the university had already proffered a number of conditions however his client wanted to ensure that the use of the building would not adversely change and asked for consideration of the following to be added to the conditions:-

- Licensable activities shall only be provided at pre-booked ticketed events;
- Where licensable activities are due to take place after 10:00pm a minimum of 2 door supervisors shall be on duty from 9:00pm until after close;
- All licensable activities shall be carried out by the employees of the premises licence holder. The Premises shall not be hired out to third parties to carry out licensable activities.

Mr Collect informed the Members that events would be limited to pre-booked functions so that they were aware of date, numbers and requirements.

The Legal Services Officer asked for clarification on a number of points. Mr Collett replied as follows;

- That a minimum of seven days' notice was required for booking events and that in some cases events were booked a year in advance

- Events would be by invitation only with delegates having register with the event holder.
- The applicant was aware that live music, recorded music was regulated and that after 23:00 a Temporary Event Notice would be required.
- The suggestions made by the Environmental Health Officer had be listen to and included in suggested measures outlined on page 69 of the submitted report.

The Ms Foster, Security Manager, explained to Members that they would use the same approach to security as they had for events at the Rosebowl and the Headingley Campus.

Members were advised that the University use the Challenge 21 policy and so far they had not had events where children were invited however, they did want the flexibility for children to attend events and would be happy with a condition to say that children attending must be accompanied by an adult at all times and to be off the premises by 9:00pm.

The Security Manager explained the procedure for Challenge 21 which is currently used at the Rosebowl venue. She also explained security in relation to attendees going outside for a smoke or to use a phone.

Mr Collett said that the University had a robust operation for events and the University's strategy for a good community and good neighbour and that they would keep neighbours informed of a late licence or any irregularity.

Members requested clarification as to where the designated smoking point would be located. It was noted that the current policy on smoking requires that smokers to be 5 metres from the building and not in front of an entrance. They had looked at locating a designated smoking area to the rear of the building near to the disabled access.

Ms Petty on behalf of Toronto Square was concerned that this may be located on her clients land and had concerns in relation to litter. It was suggested by the applicant that they could instruct cleaners to ensure that the area was cleaned and tidied after an event.

RESOLVED – Members carefully considered all the points raised and the information provided and on that basis granted the application with the following amendments to the conditions:-

- That events would terminate at 12:00 midnight;
- That all events should be pre-booked with a minimum of 7 days' notice;
- That 2 door supervisors would be required at events from 21:00 hours till 30 minutes after the terminal time.
- That children should be accompanied by an adult at all times and that children must be off the premises by 21:00 hours
- That the venue would not be hired to a third party