

## **Licensing Sub-Committee**

**Tuesday, 16th January, 2018**

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

Councillors C Townsley and G Wilkinson

### **1 Election of the Chair**

**RESOLVED** – That Councillor G Hyde be elected to the Chair for the duration of the meeting.

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

There were no appeals against the 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 late items.

### **5 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

### **6 Application to Vary a Premises licence held by Guitar Café, 41 Call Lane, Leeds, LS1 7BT**

The report of the Head of Elections, Licensing and Registration asked Members to consider an application to vary a premises licence held by Mr David Baguley and Mr Richard Wade for Guitar Café, 41 Call Lane, Leeds, LS1 7BT.

Members were informed that the purpose of the application was to increase the terminal hour for each currently authorised activity by one additional hour and to include the provision of late night refreshment as set out at point 3.2 of the submitted report.

Members noted that the premises were within the 'Red Zone' of the Leeds City Centre Cumulative Impact Area.

Members were advised that the application had attracted representations from West Yorkshire Police and the Licensing Authority in their capacity as responsible authorities. Both were objecting to the application in its entirety due to its location within the Cumulative Impact Area and the effects already being experienced in that area.

Mr Wade and Mr Baguley the applicants were at the meeting along with Ms Poppy Tatt who is the Manager.

Mr Wade explained that they wished to extend the terminal hour by one hour as they wanted to be taken seriously as a live music venue. The existing operating hours restrict the bands who wished to play at the venue and it is frustrating for both artists and customers having to finish a performance early.

Mr Wade said that this venue was different to those in the area by catering to a more mature clientele, and not to stag and hen parties. The premises was a 26 seating

café style acoustic venue which offered coffee, cakes, and local real ales in a laid back environment.

The Sub-Committee heard that this venue was a destination venue where customers tended to stay for the duration of the evening.

Mr Wade informed the Members that they adhered to the licensing objectives and even went beyond the conditions imposed on the current premises licensing. He explained that they employed a doorman on a Friday and Saturday night which was not part of their current conditions and went above and beyond requirements of CCTV at the venue. They were at present considering an additional camera above the entrance to the premises facing out onto the street.

Members were informed that the venue had a 12 seating beer garden to the rear of the premises which was used by smokers so that they did not have to go out onto Call Lane.

Members noted that all Temporary Event Notices (TEN) had been used particularly for bank holidays and New Year events. The TEN had been used at New Year until 1:00am.

Members were advised that no issues had been reported to the police, other than a burglary last July when money had been stolen from the till.

PC Arkle attended the meeting and informed the Sub-Committee that her husband had signed the petition in support of the bar opening one additional hour. She also informed the Sub-Committee that she had visited the bar both as a Police Officer and socially.

PC Arkle informed Members that there had been an increase in incidents on Call Lane and that most incidents were reported within a 5 hour period from 11:00pm until 4:00am.

PC Arkle said that the current hours of the Guitar Café were modest even in comparison with premises located in outer areas. She also realised that the restricted hours could be detrimental to the business. However to grant the variation to the operating hours would be a deviation from the Cumulative Impact Policy.

PC Arkle informed the Members that she was impressed by the supplementary information provided by the applicants saying that it was very detailed.

It had been noted by West Yorkshire Police that Guitar Café were working above and beyond the current conditions imposed upon them including the use of a SIA doorman on a Friday and Saturday night, more CCTV installed and the use of Check 25 rather than Check 21.

PC Arkle advised Members that this was not about the premises as they had received no calls to incidents, but that it was about the location of the premises in the Red Zone.

Members were informed that this was a small independent operator who did not wish to compete with other high alcohol venues in the area.

PC Arkle was of the view to grant one extra hour and the grant of the late night refreshment licence as the venue would not impact on the area. She did invite the consideration of additional conditions as follows:-

- Check 25
- Door staff – Friday and Saturday from 8pm till close
- No re-entry after 11:00pm
- Customers to use the smoking area provide at the rear of the premises
- Installation of CCTV above the entrance

PC Arkle said that these premises did cater to a different clientele and that this was an exceptional case.

An Officer from Entertainment Licensing was at the hearing and informed the Members that the Cumulative Impact Policy covered the surrounding locality. However she was of the opinion that this case should be considered in context.

The Officer went on to explain that these premises were different as they were a boutique bar who did not rely on a particular brewery. It was noted that these premises had originally been a guitar shop which had been well known in its own right.

Members heard that the applicant wished to change the demographics and impression of the area. The Sub-Committee were informed that bands came from all over the world to play at the venue.

Members heard that the door man was on duty on both Friday and Saturday night and he had a good working relationship with the applicant and knew the type of clientele they wanted in the venue.

The applicant advised the Members that he would be willing to have the additional conditions suggested by PC Arkle added to the conditions for the premises.

At the conclusion of the discussions Members carefully considered all the information before them.

**RESOLVED** – To grant the variation to the premises licence as applied for with the following added to the conditions:

- Check 25
- Door staff – Friday and Saturday from 8pm till close
- No re-entry after 11:00pm
- Customers to use the smoking area provide at the rear of the premises
- Installation of CCTV above the entrance

