

Licensing Sub-Committee

Tuesday, 5th September, 2023

PRESENT: Councillor J Gibson in the Chair

Councillors R Downes and T Hinchcliffe

1 Election of the Chair

RESOLVED – To elect Councillor J Gibson to the Chair 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 were no exempt items.

4 Late Items

There were no formal late items. However, there was supplementary information in relation to Agenda Item 7 - Application for the grant of a premises licence for Public Realm Leeds Dock, Armouries Drive, Hunslet, Leeds.

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Certification of Films – Caribbean Cinema Up Close

The report of the Chief Officer Elections and Regulatory advised Members of an application received from Hyde Park Picture House to have a total of 2 feature length films and a series of 7 short films certified as they were not currently certified by the BBFC. The screenings were planned to take place on the 9th & 10th September 2023 at Hyde Park Picture House, Brudenell Road, Leeds LS6 1JD.

A copy of the current BBFC Classification Guidelines were provided for the Sub Committee.

A list detailing each film requesting certification was appended to the submitted report at Appendix A, which included links to view the films online, a synopsis for each film and the applicant's recommended classification.

To assist Members officers of the Licensing Authority had viewed each film requesting certification and provided comments in accordance with BBFC guidelines, which was attached to the report at Appendix B.

A representative of Hyde Park Picture House was available by phone to answer any questions Members of the Licensing Sub Committee had.

RESOLVED – To apply the certification as recommended by the applicant and within the guidelines of the BBFC.

7 Application for the grant of a premises licence for Public Realm Leeds Dock, Armouries Drive, Hunslet, Leeds,

The report of the Chief Officer Elections and Regulatory requested Members consideration on an application for the grant of a premises licence, made by Allied London One Ltd, for Public Realm Leeds Dock, Armouries Drive, Hunslet, Leeds.

In attendance for this item were:

- Rebecca Lowe, Kuits Steinhart Levy LLP – Applicant’s Representative
- Alex Webb-Ingall, Allied London One Ltd – Events Manager for the Applicant
- Councillor Paul Wray – Ward Councillor for Hunslet and Riverside
- Councillor Ed Carlisle – Ward Councillor for Hunslet and Riverside
- Mr Hayden Harris - Resident

The Legal Officer set out the procedure for the hearing.

The Licensing Officer presented the following information:

- This was the first application for a premises licence. The applicant’s name was Allied London One Ltd.
- The proposed designated premises supervisor will be Alexander Webb-Ingall
- The application was for:
 - Sale of Alcohol
 - Plays
 - Films
 - Live Music
 - Recorded Music
 - Performance of Dance
 - Anything of a Similar Description
 - Every Day 08:00 – 22.00
- The application was for a licence to cover the external areas, no buildings contained within the area to be licensed.
- A redacted version of the application had been attached at Appendix A.
- The applicant proposed to promote the licensing objectives by taking the steps identified in the operating schedule which was attached at Appendix B.
- A map which identified the location of these premises was attached at Appendix C.
- There had been no representations from responsible authorities.
- The application had attracted representation from members of the public. The licensing authority was in receipt of eighteen individual letters of objection, a joint letter from the Ward Councillors, and one from the 3rd Ward Councillor all of which were opposed to this application on the grounds of public nuisance.
- It was noted that representations had been received from members of the public who had expressed concern that they may be at risk of retribution should their details be made public. As such their personal details had been redacted and they remained anonymous. Redacted copies of the representations were attached at Appendix D of the report.
- The Licensing Authority had also received 2 letters of support which were attached at Appendix E.

The Applicant’s representative Rebecca Lowe provided the following information to the Sub-Committee:

- The Leeds Dock had not started as an area for licensable activities but over a number of years Temporary Event Notices (TEN’s) had been secured as part of the Waterfront Festival which had been going for 12 years and Leeds light

Night for 7 years. In that time Mr Webb-Ingall had overseen these events, and it was noted he used to work for Leeds City Council as an events manager.

- Members were informed that a licence for the public realm area of the Leeds Dock would reduce the administrative burden of having to use TEN's. The key factors for this application were to allow larger events to take place, as well as small scale events and remove the short notice of providing these types of events.
- The key use of the public realm area was not changing as this is a mixed-use development and therefore no planning changes were required.
- The plan was for residents and office workers to stay and enjoy the public realm area. This would provide a positive vibe for the people who live and work around the Leeds Dock. It was noted that it was the plan to have street vendors who could sell alcohol as well as different types of street foods and for events such as a carol concert.
- Members were advised that a meeting had been held in May 2023, for residents to attend and this had been advertised using social media platforms and posters. This meeting had raised some concerns including, noise, number of events, the number of people attending large scale events, fire safety and risk assessments. The applicant had tried to address the concerns.
- It was noted that the applicant had restricted the number of people to attend the large events to 500 as a maximum and had requested a time limited period of one year to show that the events would provide a positive vibe for the area and the residents. After one year the applicant would need to re-apply. The events planned were for community focused licensable activities. The applicant was confident that after a year there will have been no issues and would have been well received by the residents.
- It was noted that there would only be 3 large scale events within the year and music would only be played at the larger events.
- It was noted that fire safety would fall under the regulations for fire safety rather than the Licensing Act. Risk assessments would be undertaken and there would be no use of fireworks in the public realm area at any of the events.
- This was classified as a mixed-use area with residential properties, offices, bars, and restaurants.
- Weekday events would be low key events and the applicant had been mindful of residents with the application until 10pm.
- Three large scale events over the twelve-month period were not thought to be excessive and numbers would be limited. It was proposed that these would be relaxed community events.
- No religious or education facilities had objected to the application.
- The events would not attract anti-social behaviour to the area as there would be security staff. Each event would be appropriately staffed.
- Litter bins would be provided for the events to reduce littering.
- A noise management plan would be undertaken for the larger events and monitoring would also be undertaken.
- The operating schedule had been revised to mitigate the concerns raised and this was appended to the report as supplementary information.

Councillor Wray informed the Sub-Committee of his concerns with the following information:

- This area is a mix of residential, office and hospitality space, not an events space as the noise would be amplified. It was his view that the events should be held on weekends and bank holidays only. Even with the low-key events noise would be amplified in this space.
- The residential area was occupied by families, elderly people and some people now working from home. These events would impact on the residents. It was noted that even during the winter months windows were left open due to the buildings overheating.
- Councillor Wray was of the view that the 1-year clause could be easily manipulated for the low-key events, so as not to generate any complaints. He thought that Allied London One could apply to have 50 TEN's per year and small vendors could apply for personal licences. In his view even 150 people at an event would amplify noise and the majority of concerns from the residents were in relation to noise.
- Councillor Wray said there was a balance required between residents and the applicant and thought it reasonable and justified that the residents had concerns in relation to noise which would be amplified by the events taking place outside. It was his suggestion that events should not take place on weekdays.

Mr Harris a resident of the Leeds Dock attended the meeting as an objector and said that he agreed with all the comments Councillor Wray had made.

Councillor Carlisle said that most of the comments he had made in his representation were neutral and he had nothing further to add to Councillor Wray's comments. Councillor Carlisle said that most of the frustrations of the residents were around the cladding scandal, the Canary Bar and the Leeds Armouries events.

Councillor Carlisle was of the view that the right safeguards needed to be in place. He said that Allied London One did deserve credit in trying to bring activities to the area and thought that they had been flexible in putting in the 1-year clause.

In response to questions from Members the following information was provided:

- It was agreed that an event at the Armouries had overstepped the mark in searching bags of residents trying to access their properties. This was due to increased security as the police had advised that there would be protests at the event. This had been dealt with and apologies had been made. In future there would be open access for residents but still with security. Allied London One were part of the contract and would work to address any issues.
- It was noted that 20 people had attended the meeting in relation to the application, but addresses had not been checked of those attending. It was thought that some of those attending were landlords of the properties.
- The demographic of the area was mainly couples, families with young children, young adults with some retired and disabled people. The main age range was between 30 and 40 years. It was noted that some of the residents were not homeowners and therefore may be more open to this type of application and the proposed events.

- The public realm area had a capacity for approximately 3 – 4 thousand people.
- The start time for the licence could be changed to 10:00am or 11:00am.
- It was noted that the Canary Bar were tenants on the estate and rented from Allied London One. The relationship with the Canary Bar was that of tenant and landlord.
- Live and recorded music could be de-regulated under the licence if it was found to be an issue.
- Mr Webb-Ingall told the Sub-Committee that there was no commercial advantage to the large events. The smaller events of street food stalls selling alcohol would have no commercial benefit for loud music. Should this be an issue it could be brought for review to restrict conditions.
- It was noted that the weekday events would be targeted at residents and workers to encourage them to stay and relax in the area, to buy food and drinks with friends. It was not proposed that these would be corporate events.
- It was noted that the area can have up to 20 TEN's per year and a personal licence holder can have up to 50 TEN's per year.
- It was said that the turn out to the engagement event about the application had not been well attended as it was the view that not enough notice of the meeting had been given. Most of the comments had come through social media groups which had raised awareness of the application. Environmental Protection Team had been advised of the application and consultation had taken place with them about the type of events proposed. They had raised no objections.
- Members understood the concerns of the residents about the weekday events with a closing time of 10:00pm. Mr Webb-Ingall advised the Members that a management plan would be drawn up for each event and had been added to the operating schedule. Appropriate staffing would be at all events even the smaller pop-up events and noise would be monitored. He said that at present there are street traders in the area until 3:00pm. No complaints had been raised in relation to these.
- It was noted that the revised operating schedule had said there would be continued communication with the residents and in case of any complaints there would be a telephone number available during the events.
- The safety advisor group would not get involved with the small events, but they would for the larger events. The estate has a 24-hour security, and they would address issues of capacity and the control of numbers at events.
- Members were advised that there were no commercial benefits as the street vendors would not be charged for operating in this area. There would generally only be 1 vendor on site during the evenings or weekdays for low key events, who would probably stay on site until 7pm or 8pm.

At this point in the proceedings the Sub-Committee suggested that they may be mindful to impose conditions, so that no more than 2 vendors operate on the site on weekdays. The applicant's representative requested an adjournment to take instruction from her client.

On returning to the meeting room Ms Lowe advised the Sub-Committee that her client would be happy if conditions were made that there could be three large events

and as a separate condition that on weekdays there were no more than two separate vendors on site selling alcohol.

Councillor Wray requested clarification on 'vendor' including size and nature of unit. It was suggested that one unit could be classed as a vehicle/ van or a gazebo, but there could only be two units selling alcohol at any one time.

In summing up Ms Lowe acknowledged Councillor Wray's comments that there was a need to balance the concerns of the residents with the proposed revised application. Although, Councillor Wray still had concerns in relation to noise issues, she was of the view that the application for 1-year would show the good intentions of her client and his ability to manage low key events through the week to make the area more uplifted.

Ms Lowe reiterated the following points:

- This is a mixed use area.
- The application did not undermine the licensing objectives.
- No representations had been received from responsible authorities.
- There would be ongoing consultation with residents.
- Her client simply wanted to uplift the area.

Members discussions included:

- Condition to limit the supply of alcohol from 4:00pm to 8:00pm.
- Only two separate vendors as a maximum during weekdays.
- Pedestrian access to be provided for residents during larger events.

RESOLVED – To grant the application with the following conditions:

- Guaranteed access for residents.
- Maximum of two trader units on the site per event.
- Restrict sales of alcohol to:
 - Sunday – Thursday 10:00 until 20:00 unless these days precede a bank holiday when the hours would be 10:00 until 22:00
 - Friday and Saturday 10:00 until 22:00
 - Larger events 10:00 until 22:00