

## Licensing Sub-Committee

Tuesday, 11th August, 2020

**PRESENT:** Councillor P Wray in the Chair

Councillors B Flynn and P Latty

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

**RESOLVED** – That Cllr. Wray be elected 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 late items.

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

No declarations of disclosable interests were received.

### **6 Application to vary a premises licence held by Orchard Dib Lane, Roundhay, Leeds, LS8 3HL**

The report of the Chief Officer Elections and Regulatory advised Members of an application to vary a premises licence, made by Claire Louise Reynard, for Orchard, Dib Lane, Roundhay, Leeds, LS8 3HL.

This application was to:

- Extend the start time for the sale of alcohol to 10:00 daily. Extend the terminal hour for the sale of alcohol on Monday to Wednesday until 23:30 on Thursday to Saturday until midnight; and on Sunday until 23:00;
- Extend the terminal hour for late night refreshment on Thursday to Saturday until midnight;
- Extend the terminal hour for live music on Monday to Saturday until 23:30. However, it was noted that this part of the application was withdrawn by the applicant's solicitor on 3<sup>rd</sup> March 2020;
- Remove all existing embedded restrictions and replace with new condition;
- Add non-standard timing New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day for all licensable activities.

A copy of the redacted application form was appended to the report at Appendix B.

Representations were received from West Yorkshire Police and the Environmental Protection Team in their role as responsible authorities. In this instance the West Yorkshire Police and the Environmental Protection Team had negotiated with the applicant and the operating schedule was amended to include the measures agreed. These can be found at Appendices D and E of the submitted report.

Due to the application being amended to remove the request to extend the terminal hour for Live Music and to amend the application.

Entertainment Licensing was in receipt of seven individual letters of objection, all opposed to the application on the grounds of public nuisance. Redacted copies of the letters were attached to the submitted report at Appendix F.

The Licensing Authority had also been provided with nine letters of support by the applicant. These were appended to the report at Appendix G.

In attendance at the meeting were:

Ms Claire Louise Reynard – Premises Licence Holder  
Mr George Domleo – Premises Licence Holders representative  
Mr Alan Traynor – Witness for the Premises Licence Holder  
Mr Stuart Lowe – Objector  
Ms Angela Darnbrook

Mr George Domleo, the Applicant's representative provided a brief background history of his clients. He informed the Sub Committee that the applicant and her family lived above the premises and wanted to work with the residents to make the premises a community pub.

The Members were advised that the premises held bingo and pool nights, charity events and had hosted a local councillors meeting.

Mr Domleo said that Ms Reynard, wanted to extend the hours of opening so that she could offer more flexibility for residents to enjoy the facilities including food. He went on to say that West Yorkshire Police and the Environmental Protection Team had set out some measures which had been agreed by the applicant. The applicant had also now withdrawn the request for live music as part of the application.

Mr Domleo said that he could understand the anxiety of the residents when the premises were trading as The Grange. However, the applicant had now been at the Orchard for four years and in his opinion were a valuable asset to the community, hosting a variety of events some charitable events also. He said that during the time the applicant had held the premises licence there had only been three complaints logged. The application to vary the premises licence had received nine letters of support.

Mr Domleo advised the Members that the Environmental Protection Team had added two conditions which the applicants had agreed to. They were also willing to request that event organisers remain on the site, or provide contact details should issues arise during events so that these can be dealt with immediately. He said in the current circumstances the public house was a valuable community asset.

Mr Traynor, witness on behalf of the applicant informed the Sub Committee that they knew there had been some issues prior to them taking over the premises. However, they had worked hard to move forward and not cause any nuisance to the residents, offering to meet with them to address any issues. He was of the view that they were doing a good job and wished to continue to do so.

Also in attendance at the meeting were two objectors who raised the following concerns;

FINAL MINUTES

- The public house is in a residential area;
- The music from the events was well above acceptable levels. Previously the premises known as The Grange, had only played piped music as background inside the pub;
- There was a need to control the people who ventured outside as they caused noise and this not good for peoples mental well-being;
- A lot of the residents had been unaware of this application;
- As residents they had not been aware of a meeting held by a local councillor;
- Both were of the view that the contact between the premises licence holder, the Council and the residents was poor;
- There was excessive swearing and noise and residents felt unable to use their gardens;
- Some of the residents felt intimidated by the owners of the premises;
- Residents were worried that an increase in licensable hours would increase noise levels which would affect those living nearby especially during the working week and those working shifts.

One of the objectors said that they had known the pub for many years. It had been one of the best known in Leeds, however many local residents now do not use it.

In summarising, Mr Domleo said that the premises had only received three complaints since the current licence holder had taken over. The applicant was striving to make the premises welcoming to local residents, they had offered to provide a contact telephone number so that any issues could be addressed. All measures proposed by West Yorkshire Police and the Environmental Protection Team had been agreed.

Alan Traynor informed Members that the premises next door did use the licence premises, and that he and Ms Reynard wanted to work with the community. He went on to say that they would address any issues should they arise and that any complaints or issues were recorded in the record log.

In response to Members questions the Licensing Sub Committee were informed of the following:

- During private discussion Members would be provided with the addresses of those in support of the application so that Members could see where those supporters lived in relation to the premises;
- Only those gardens in close vicinity to the premises were affected by the noise levels from the beer garden;
- There had been incidents at the premises previous to Ms Reynard and Mr Traynor taking over the premises;
- The language in the beer garden is excessive and there are children in the beer garden;
- The applicant said that the application to increase the hours was so that they were the same as other licensed premises in the area. This would hopefully stop customers from leaving the pub on mass in taxis' to go to other pubs which had later licences and therefore restrict the issues of noise.

The objectors made mention of a serious incident which had taken place recently in the car park, the police had been called to attend. The objectors were of the view that the premises licence holder had not been aware of her responsibility in relation to the car park. However, the applicant said she was aware of her responsibility in relation to the car park and explained what had happened so that the Licensing Sub Committee were aware of all the facts involved with this incident. It was noted that no enforcement action had been taken.

Member's discussions included the need for contact details to be provided so that they could make complaints either to the premises licence holder or to Environmental Protection Team.

**RESOLVED** - To grant the application to vary the premises licence as applied for. The Sub-Committee also noted that the applicant intended to do the following:

1. Provide detail of any organisers of events/ entertainment at the premises to residents on request.
2. Provide a dedicated telephone and email address for the premises to any resident on request if there are concerns about noise or nuisance from the premises whilst open.
3. Arrange regular meetings with the residents to discuss any concerns.

*The meeting concluded at 12:17*