

Licensing Sub-Committee

Tuesday, 20th October, 2020

PRESENT: Councillor J Lennox in the Chair

Councillors A Marshall-Katung and
L Richards

1 Election of the Chair

RESOLVED – That Councillor Jessica Lennox 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 were no exempt items.

4 Late Items

There were no formal late items. However, there was supplementary information which had been circulated to all relevant parties.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application to Vary a Club Premises Certificate in respect of Seacroft Village Hall Social Club, Seacroft Village Hall, York Road, Leeds, LS14 6JS

The report of the Head of Elections and Regulatory presented an application to vary a Club Premises Certificate in respect of Seacroft Village Hall Social Club, Seacroft Village Hall, York Road, Leeds, LS14 6JS

The Licensing Officer informed the Sub-Committee of the following points:

- The application was to alter the hours permitted for licensable activities; and to include the external area of the premises with the licensed area. A redacted version of the application was attached at Appendix B of the submitted report;
- No representations had been received from the Responsible Authorities;
- Three objections had been received from members of the public who opposed the application on the grounds of public nuisance related matters. One of those representations expressed concerns in relation to the current operation of the premises. These representations were set out at Appendix D;
- A list of other premises with a premises licence were attached at Appendix E of the report.

In attendance at the meeting were:

- Mr William Askin – Applicant; and
- Mr George Floyd – Objector

Mr Askin informed the Sub-Committee of the following:

- The Club would like permission to consume alcohol on and within the premises and this included land to the front and the sides of the premises during the permitted hours. It was noted that the use of the outside area would be weather dependent and would always be limited to Sundays and Bank Holidays;
- The Club also wished to have the facility to extend the permitted hours on Saturdays by one hour. It was suggested that this extra one hour would only be used for special occasions such as birthdays, anniversaries or national celebrations;
- Mr Askin said that the extra hour would not be taken up each week as the Club was run by volunteers who did not want to work every weekend. He said that the extra hour may be used up to two times every two months;
- Mr Askin said that Club Members were mostly elderly and were well behaved and that there had been no issues in the last few months;
- The Club had applied for Temporary Event Notices previously for special events such as the August Bank Holiday;
- During celebrations watching Leeds United get promotion to the premier league in July, about 10-15 people had gathered and there was cheering. Mr Askin was of the view that this had prompted a complaint from one of the residents nearby.

Responding to questions from Members, Mr Askin said that he was not sure of any specific event where the premises had remained open past the permitted hours. There had been no issues raised from the Responsible Authorities and he had not been approached personally with any complaints.

Members were advised that one of the staff at the Club had tested positive for Covid-19 and the Club was currently closed for three weeks. The Club is a local venue with regular clientele. However, since the re-opening in July the numbers of customers had reduced from those prior to lockdown. The Club had also had to restrict numbers so that they were able to maintain social distancing and a one way system, they were also now operating a table service.

Members were informed that the Club had not had live music for a few years, but did have the occasional disco. It was noted that when they do have a disco they request that the music is turned off at 11:30pm on party nights. Mr Askin said that these type of events were limited as the staff were volunteers.

Mr Askin clarified that the outside area being applied for was to the front and the side of the premises.

Mr Floyd addressed the Sub-Committee informing them of the following points:

- The objection was on the grounds of noise and disturbance whilst trying to enjoy his garden;
- Extending the operating hours for one additional hour would actually mean that the premises were closing at 12:30am to include drinking up time;
- Concerns that when the upstairs was rented out for parties it would mean that people would not be leaving the premises until 1:00am, some of these parties could be attended by 70-80 people;

- The bedroom window of Mr Floyd's house overlooks the side of the village hall. The window is open for ventilation and often the noise of people leaving the premises wakens him, with people calling goodnight to each other, taxis arriving, and car doors slamming;
- Sunday afternoons when Mr Floyd and his wife like to sit in the garden and relax, can be noisy. The premises are open on Sundays with customers drinking from noon until late into the evening. He said that the more alcohol was consumed the noise levels rise, until it becomes unbearable. The noise included shrieking laughter, shouting, noise of cars pipping as they pass by and football chanting. Mr Floyd provided the Sub-Committee with an example of the behaviour that he and his wife had endured over the August Bank Holiday;
- The Cricketers across the Green from the Village Hall had applied for an extension to their hours a few years ago, however, the application was refused;
- It was Mr Floyd's opinion that the Village Hall had no commercial reasons for having an extension to the opening hours as he believed that the premises was financially sound. He provided financial information for the premises which he had access to as he had been the Club Secretary, from which he had resigned in 2018. Mr Floyd had been on the Committee for ten years, he said that the Club had little costs;
- The Village Hall itself is a charitable organisation, the Social Club for who this application is for, rent the premises;
- Mr Floyd explained that he and his wife had resigned from the committee in the summer of 2018, as the members of the Social Club were not abiding by the rules, sometimes drinking for free and drinking past the permitted hours, which are known locally as 'lock-ins';
- Mr Floyd was of the view that the current committee were not capable of running the premises within the licensing regulations or within the current Covid-19 restrictions;
- Mr Floyd said that on the 10th October members were seen leaving the premises at 11:55pm, they had been in the premises with the lights off. It was his view that this showed total disregard;
- The three objections are from neighbours who live in close proximity to the Village Hall;
- Mr Floyd also had concerns that the committee were not able to address the current Covid-19 restrictions as there was not enough hand washing facilities for food preparation, they were not adhering to social distancing and disregard to the Temporary Event Notice closing time.

Mr Askin in summarising said that one of the neighbours who lives in close proximity had in fact supported the application. He said that the Club had spent £24,000 in repairs, renewals and redecoration.

Mr Askin said that he took exception to the accusations of 'lock-ins' as there was no evidence of this and he took the accusations very seriously. Mr Askin was of the view that the position of Mr Floyd's property, being one removed from the Village Hall should mean that Mr Floyd was not suffering too much disturbance in his garden.

In relation to the Temporary Events Notices, the Club had taken these out to cover the summer period.

Member's discussion included:

- The outside area and what this entailed and the importance at this current time for social distancing;
- Car parking;
- The use of Temporary Event Notices;
- Sustainability of the Social Club.

In response to further questions from the Members the Sub-Committee were advised that it is usually the front of the Village Hall that is used for customers with seating and tables erected there, whilst cars are parked to the side of the Village Hall. The side area is not attractive for sitting out as there is no view, the front area also has a garden.

RESOLVED – To refuse the extension to the permitted hours but to allow the licence to cover the outside area until 9:00pm.

The meeting concluded at 11:05