

Licensing Sub-Committee

Tuesday, 20th April, 2021

PRESENT: Councillor B Garner in the Chair

Councillors N Buckley and A Marshall-Katung

1 Election of the Chair

RESOLVED – That Councillor Ben Garner be elected as 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

There were no declarations of disclosable pecuniary interests.

6 Application for the grant of a premises licence for Leeds Cricket Football And Athletic Co Ltd, The Rugby Bowl, Emerald Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR

The report of the Chief Officer Elections and Regulatory requested Members consideration on an application for the grant of a premises licence for Leeds Cricket Football and Athletic Co Ltd, The Rugby Bowl, Emerald Headingley Stadium, St Micheal's Lane, Headingley, Leeds, LS6 3BR.

The Licensing Officer informed the Members of the following points:

- The application was to hold a maximum of two boxing or wrestling matches per year, on either a Friday or a Saturday with a maximum of 25,000 spectators;
- The Emerald Headingley Stadium do have the benefit of several other premises licences. These licences are in situ to cover live music events, specific stands, terraces and pavilions within the stadium. A list detailing the licensable activities and hours of these licences, along with the other premises licences in the surrounding area, was noted at paragraph 6.4 and Appendix G of the submitted report;
- The application was for:
 - Sale by retail of alcohol - Friday and Saturday 12:00 - 00:00 hours
 - Boxing or wrestling entertainment - Friday and Saturday 12:00 - 00:00 hours
 - Performance of recorded music - Friday and Saturday 12:00 - 00:00 hours

- The application was appended to the report at Appendix A which included the measures the applicant had offered to promote the licensing objectives at section M. It was also noted that the applicant had completed an outdoor proforma risk assessment, this was attached at Appendix B;
- Representations had been received from West Yorkshire Police (WYP), Local Ward Members, and local residents. The representation by WYP had suggested some additional measures to promote the Crime Prevention Objective. A copy of this was attached to the report at Appendix D;
- The six Ward Members of Headingley and Hyde Park and Kirkstall was a joint representation signed by all six Members and was appended to the report at Appendix E;
- Representations from local residents were appended to the report at Appendix F.

In attendance at the meeting on behalf of the Leeds Cricket Football And Athletic Co Ltd were:

- Sue Ward – Operations Director
- Sian Jones – Head of Customer Experience
- John Hills – Proposed Designated Premises Supervisor

Sue Ward informed the Licensing Sub Committee of the following points:

- The Emerald Headingley Stadium is a sports ground which requires a general safety certificate, The Safety of Sports Ground Act 1975;
- They were of the view that they had created the necessary steps to promote the four licensing objectives and a proforma risk assessment for outdoor events had been completed;
- In their response to WYP they had set out how they would promote the licensing objectives and had agreed to additional measures suggested by WYP; their response to the WYP and their agreement to the additional measures was proof of how the applicant promotes the licensing objectives.
- They were of the view that they had learnt and acted upon the previous applications to licensing and with regard to communication had continued to engage with Ward Councillors and residents with a monthly newsletter. They had written to Ward Councillors and residents in February advising them of their intentions for the application and offered a virtual meeting to address concerns. They had met with the residents on 5th March. It was noted that Councillors had not responded to a letter offering to meet and discuss any questions or concerns that they had;
- The main concerns raised were of public nuisance. They were of the view that they had provided evidence to Licensing to contain these concerns. An Events Management Plan would be created and sent to the Safety Advisory Group at Leeds City Council. This would include a noise management strategy which would refer to waste collections, deliveries, and other activities that might generate noise;
- Mitigation measures set out in a report prepared by Apex Acoustics would limit noise levels from the public address system and voice alarm system and would be configured to meet all requirements
- Bottles would not be placed in bins between the hours of 11:00pm and 6:00am. If required they would be willing to have someone present to monitor the noise. They would also provide a contact telephone number should there

be a complaint; The strategy would identify how noise from the event would be effectively controlled to avoid public nuisance and to comply with any licence conditions; the content of the agreed strategy would be followed throughout the event

- The Event Management Plan would also include a litter and waste management strategy, the location of litter bins and the steps to remove litter on routes adjacent to the site The Plan would also include a light pollution strategy and a travel and transport strategy, and a major incident and emergency strategy;
- Risk assessment would be taken and emergency lighting tested, routes for pedestrians and emergency vehicle routes would be identified;
- The rugby crowd management strategy would be amended and adapted for boxing and wrestling matches;
- CCTV would be in operation and detailed location of cameras would be identified. The Cameras would be recording throughout the day and would be available on request. Details of stewarding would be available and the number of Police would be identified as was considered necessary;
- The Plan would also include a medical plan as does all the events at the stadium, but there would be specific measures taken to ensure that they had qualified medical practitioners for the contestants;
- This application was for two events per year with a maximum of 25,000 spectators and this is before they took into consideration where the boxing ring and walkways would be positioned which would reduce capacity;
- Pre-covid the number of sporting events proposed was 61, in 2019 they hosted 71 events, and 2018 only 68 events. It was their view that this was low usage of such an iconic venue. It was noted that this included rugby union events which attracted less than 500 people, cricket matches which are played over four days but attract less than 2,000 spectators;
- There are currently no complaints registered with the Environmental Health Service and none on record since 2018;
- It was noted that should the application be granted they would work with a boxing promoter, use an event management plan which would be made available to the responsible authorities no later than 90 days before the event is due to take place.
- Were the application to be granted the agreed event management plan will be made available to the responsible author authorities including the local authority no later than 90 days before the event.
- The stadium management team operate under the constraints of the General Stadium Safety Certificate including the COVID-19 addendum issued by Leeds City Council on 15th of July 2020. The safety and well-being of all those visiting the stadium was of paramount importance to the applicant, they understood the impact of COVID-19 and that the priority would be that of public health and safety

Responding to questions from Members the Licensing Sub Committee were provided with the following information:

- They would happy to reduce the finish time for boxing events to 11:00pm in line with other events;

- From 12:00 the safety checks would be carried out with doors opening from around 5:00pm with undercard boxing around 5:30pm;
- The CCTV was a sophisticated system approved by the Stadium Advisory Group and WYP. The houses surrounding the stadium are blocked out as they have to follow a certain code of practice so no personal information is gathered from the neighbourhood;
- Although they had not been able to test the music events they had experience of hosting large numbers of spectators. The Boxing events would be similar to those of the rugby where up to 19,500 spectators attend, there is alcohol on sale and recorded music is played. It was noted that 20 years ago up to 40,000 people attended rugby matches. The pitch would be used for the boxing match with walkways to and from the changing rooms; She said that the area used for a boxing event would include the pitch and surrounding area so the capacity became 30,000 and that the applicant had calculated that they could host 30,000 people safely from an access and egress point of view.
- The de-rigging could be done the following day and as with previous applications would accept this as a condition.

Cllr Illingworth, Councillor for Kirkstall ward attended the meeting on behalf of the six Councillors who had sent in a joint representation. He read from the representation, highlighting a number points:

- The joint representation had been sent after a number of residents had contacted the Ward Councillors objecting to the application and had given up trying to contact the Stadium;
- It was the view that alcohol should only be served until 10:00pm which was the current practice, and that lighting should be dimmed after 10:30pm;
- Noise levels in both wards was a concern not just from the ground but also from cars and taxi's;
- Concerns had been raised in relation to the use of the Elida Gibbs Field for parking that this was to be lit which would disturb residents;
- Concerns in relation to littering and street urination, it was the view that this would become worse after the boxing matches;
- Most public transport ceases by midnight therefore, this would increase the use of cars and taxi's in the area causing congestion and disruption to residents.

Mr Cockerham – objector who attended the meeting raised the following concerns:

- Notices had appeared on lampposts and this was how residents had found out about the planned event, however, there had been no previous conversation with the residents and the monthly newsletter from the Club did not arrive till some weeks after the notices had been put up;
- Residents came away from the meeting on the 5th March, feeling that they had not received any satisfaction and that the applicant had no idea that a period of 12 hours drinking could be a problem;
- The music events have not taken place so the residents have no demonstration as to how loud the noise would be from a boxing match. He said that the loud speakers can be controlled but not the noise of the crowd;

- The Western Terrace, would be open to housing in contrast to the position in the live music events and the residents do have issues with noise during matches;
- Residents were concerned that this would be another two events through the summer, causing disturbance to the residents over another two weekends.

Mr Shoreman – Objector who attended the meeting raised the following concerns:

- The stadium only engaged with the residents after the application had gone in, this was a reactive engagement, and they had only contacted those residents on the Turnways;
- He was of the view that strategies and planning for boxing matches were not the same as for rugby matches, and the Club had no idea what the impact would be;
- The stadium is described as a bowl, but in fact it is three terraces and the open Western Stand backing on to the Turnways and noise from the crowd within the stadium will be an issue;
- There is also the potential that the disruption would be for 12 hours. The impact on residents of 25,000 people leaving the stadium will be an issue, they will be excited, have been drinking, and the impact will not only be noise issues but issues of people being sick and urinating;
- Transport at this time of night is limited. Therefore, this would mean that more taxi's would be arriving in the area, blowing horns and revving engines;
- These boxing matches cannot be same as Rhino's rugby matches;
- Parking is not adequate for those attending or working at the event;
- Floodlights in the ground shine into the houses close by;
- The alleyway at the side of the ground has become a focus of attacks recently, and is not safe for those walking;
- He had started a petition but was not allowed to use it. He had collected 28 signatures which he said showed the feeling in the local area;
- He said that he did not need this, as it caused a lot of work writing letters, emails attending meetings, raised stress levels and affected mental health;
- These events are money driven with no thought given to the residents. There are already 4 extra events, if this is granted that would be another 2 events plus all the matches that are held.

In responding to a question from the Sub Committee, it was noted that parking was bad in the area with the worst areas being St Ann's, The Cardigan Triangle, Stanmore's and Queensway's. The Turnway's is permit parking only, however, people do use this area for drop off and pick up on match day.

Sam Thripleton – Objector who attended the meeting raised the following concerns:

- Noise and lights are a major concern. These would be additional events to those already granted for music events and rugby matches. The noise from the tannoy and speakers can be heard in houses. This would be a large capacity event and large events such as the music events have not been tested yet.
- There would be a cumulative impact on residents.

Richard Parr – Objector who attended the meeting, raised the following concerns:

- Concerns raised were in relation to noise, crowd management and parking;
- This is the third application in 3 years. It is a stress and time consuming process having to write numerous emails;
- Concern that the notices in relation to the application may not have been seen by all residents as the notices were only around the perimeter of the stadium;
- The Club say that they are a family orientated business, but it was Mr Parr's view that they are anything but family orientated. There are six primary schools in the area which is an indication of the number of young children living in the area. He himself has young children and the impact on them is sleep disruption which can cause significant health issues;
- It was Mr Parr's view that the First Direct Arena would be a better venue to hold boxing matches;
- The last train and buses into the City Centre are at 11:45pm. and that buses were less regular at night and so were the 12 o'clock closing maintained this would cause noise from traffic.

Lee Davidson – Objector who attended the meeting raised the following concerns:

- The music events have not taken place so therefore the residents have been unable to see what the full impact will be;
- He was of the view that it would be ill advised to grant any further events of this nature;
- The club considered the children attending events and their safety within the stadium but he said they should consider the harm being done to children who live close to the stadium; it had been included in the application that lights would be dimmed but that there was no mention of a reduction in the noise level late at night and that this meant they could be full volume music until midnight.,
- At this time it was unclear what impact such events would have on the residents from noise and on transport;

Emma King – Objector who attended the meeting and raised the following concerns:

- Although some litter and mess is cleared up after matches there is still an issue with discarded litter such as tickets;
- The noise from the stadium is loud especially the music during the 20/20 cricket matches and goes on until 10:00pm;
- A boxing or wrestling match is different to a 2 hour rugby match which are attended by families. Miss King said she was unsure of who would attend boxing matches. but she was of the view that it would differ to the family orientated crowd of a rugby match, a crowd leaving the venue after several hours of drinking in an area, Headingley, where there were already a number of bars and pubs would mean quite a lot of additional people on the streets and a lot of extra taxis

In summing up and trying to address some of the concerns raised Sue Ward provided the following:

- She felt it unfair to say that residents had given up trying to contact the stadium;
- The Elida Gibbs Field was used for parking but would not be lit;

- Floodlights would be turned off at 11:00pm, but these may not be used;
- Cones were used to stop parking in agreement with Highways and WYP, and this was part of their plan for events;
- Within the Event Plan there would be a Transport Strategy;
- The applicant would look at Park and Ride facilities with a view to transporting spectators to areas such as Hyde Park and the train station
- This would not be a live music event but recorded music would be played through speakers. The existing PA system is limited in the levels and these mitigation measures would continue to be applied;
- The applicant could host rugby and cricket matches every day of the year and that the applicant would like to have sporting events at the venue 365 days a year.
- Only host two events per year at which capacity would be 25,000 spectators, this would only be 68 events in 2021 and included rugby and cricket matches;
- Reiterated that the Club currently have no complaints from Environment Health Services.

The following information was provided in response to further questions from Members:

- Coning does take place currently and the Club would be working closely with Highways and WYP to see how far coning should take place. However, in doing this there are issues flagged up by local councillors that the parking issues are being pushed further away from the stadium;
- Part of the transport policy would be to look at a park and ride facility. The Club would like to move away from car travel and would publicise that anyone attending the event should use the park and ride scheme which they would be weight within the pricing of tickets;
- Started looking at this particular application in May 2020, looking to diversify and look at opportunities that the stadium could utilise. It was noted that the application which had been heard in September 2020, was a variation to an application which should have been heard in March 2020, but had been delayed due to the pandemic. The volume of applications to Licensing was due to the premises licence becoming void due to the rebuilding of the stadium;
- The current event plan already includes park and ride facilities, they are in discussions with First Bus in regard to the World Cup, which will be taking part at Elland Road and Headingley later in the year. The way that this would work would be to heavily subsidise, fund this or add this facility to the ticket price as a bundle to encourage use of the facility. It would be the wishes of the Club to use this facility at all matches going forward. It was noted that discussions had taken place previously with Cllr Venner and former Cllr Yeadon that if attending matches with a valid ticket, public transport could be used free of charge;
- The Stadium has 450 parking spaces. The Elida Gibbs field is used by staff or as an overflow car park. Some people buy corporate packages which includes parking, regulated entertainment, a meal and a drink, people who use the corporate packages do not usually use the parking facility;

Member's discussions included:

- Finishing time;
- Transport including taxi's, parking and park and ride;
- Noise issues including crowd, de-rigging and music;
- Number of events at the stadium;
- The 4 Licensing objectives.

RESOLVED – To refuse the application.

The meeting concluded at 12:25