

Licensing Sub-Committee

Tuesday, 15th November, 2022

PRESENT: Councillor A Hutchison in the Chair

Councillors J Illingworth and A Smart

1 Election of the Chair

RESOLVED – That Councillor A Hutchison be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

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, supplementary information was published in relation to Agenda Item 6 – Certification of Films Leeds Palestinian Film Festival 2022. Minute No. 6 refers.

5 Declaration of Interests

Members did not raise any interests. However, in relation to Agenda Item 7 – Morley Cricket and Sports Club, Scatcherd Lane, Morley, Leeds, LS27 0JJ, Councillor A Hutchison made the Sub-Committee aware that he is a Morley Town Councillor but confirmed this did not affect any decisions he made as the proposed application site is not in the ward where Councillor A Hutchison is a Town Councillor.

6 Certification of Films – Leeds Palestinian Film Festival 2022

The report of the Chief Officer (Elections and Regulatory) submitted a report that advised the Sub-Committee of an application for the certification of six films in respect of the Leeds Palestinian Film Festival 2022. The screenings are proposed to take place between 21st November and 9th December 2022, at various venues throughout Leeds.

Supplementary information was distributed and published online prior to the hearing and included officers' comments in relation to each of the films.

Christina MacDonald (Promoter) attended the meeting, and explained she has 7 years' experience of running the festival. The applicant provided a brief synopsis of each of the films to be shown, explaining they will be documentaries showing different aspects of Palestinian and Israeli lives.

RESOLVED – To issue the following film certification as follows:

- Hanan Hashrawi: A Woman of her Time – rating 15
- Frontiers of Dreams & Fears – rating 15
- Roadmap to Apartheid – rating 15
- Tantura – rating 15

- Boycott – rating 15
- Tour Wadi Hilweh, Silwan – rating 15

7 Application for the Grant of a Premises Licence for Morley Cricket And Sports Club, Scatcherd Lane, Morley, Leeds, LS27 0JJ

The report of the Chief Officer (Elections and Regulatory) submitted a report relating to an application for the grant of a premises licence, made by The General Committee of Morley Cricket & Sports Club, for Morley Cricket and Sports Club, Scatcherd Lane, Morley, Leeds, LS27 0JJ.

The following were in attendance for this item:

- David Dowse, Trustee
- Stephen Bamby, Club Chairman
- Susan Matthew, Designated Premises Supervisor (DPS) / Bar Supervisor

The Legal Officer outlined the procedure to be followed, and the Licensing Officer presented the application.

In summary the application proposed to replace the existing club certificate and was for:

- *Sale by retail of alcohol, live music, recorded music, anything of a similar description - Sunday to Thursday 08:00-23:00 and Friday and Saturday 08:00-23:59*
- *Plays, films, indoor sporting events, performance of dance - Monday to Sunday 08:00-23:00*
- *Late night refreshment - Sunday to Thursday 23:00-23:30 and Fridays and Saturday 23:00-00:30*
- *Opening Hours - Sunday to Thursday 08:00-23:30 and Fridays and Saturday 08:00-00:30*
- *Non-standard timings - Monday or Tuesday, which are official Bank Holiday dates, and New Year's Eve until 01:00*

A representations was received on behalf of Leeds City Council's Environmental Protection Team and an agreement was reached to incorporate suggested measures in to the operating schedule, resulting in the representation being withdrawn. Three representations were also received from members of the public opposing the application on the grounds of public nuisance, as well as a letter of support on behalf of a local ward councillor.

The Trustee of the premises provided an overview of the operations and management structure of the premises and explained the club are seeking to widen the number of people attending the club, without the need to apply for Temporary Event Notices (TENs) as this is resource intensive. It was confirmed that Committee Members of Morley Cricket Club do not benefit financially from the club and monies contribute towards sporting excellence and development.

Members were informed of challenges faced by the premises during the Covid-19 pandemic, affecting income streams, bar closures and not being able to hold private functions. The club seek to widen their clientele as well as introducing other sporting activities such as rounders, association football and women's rugby league.

Currently participants support their own sporting subscriptions and cannot afford to also pay subscriptions to become a club member.

The premises has become a base for community events such as:

- Bonfire night
- The annual Morley Beer Festival.
- Wicket Fest showcasing several local bands, and proceeds were then put towards local charities. The last Wicket Fest event took place in 2019 and did not operate beyond 10pm.
- In September 2022, a sponsored children's heart foundation walk took place and utilised the cricket pitch boundary.
- Covid-19 related events for people suffering loneliness.

The premises does not anticipate changing from a family friendly sporting base and it was noted that the times proposed are in line with other licenced premises in the area. The premises are generally not open Monday and Tuesday.

Further to questions from Sub-Committee members, the following was confirmed:

- Representations relate to an incident which is approximately 0.6 miles away from the premises and does not relate to Morley Cricket Club. There are also other issues associated with some of the objectors outside of the remit of the licensing objectives and therefore do not raise operational representations.
- There are external speakers outdoors but are small and there to create an atmosphere. It was noted that there has been an issue with fire doors being open during private events and the summer months, creating noise. Since then, an alarm has been fitted to the door to alert staff. Outdoor speakers will be switched off at 10pm and music stopped at 11pm indoors.
- The premises are not intending to hold any further events and typically hold 3 per year. Should a premises licence be granted, the premises hope to hold more private functions and may look to resume Wicket Fest over the next few years.
- Membership fees will still apply and offer a small discount on drinks for club members. Higher rates will be charged to people without a membership and those attending private functions.
- The premises are happy to notify residents of events taking place and are keen to improve marketing in the local area to encourage people to use the facilities.
- There has been a noise related issue approximately 10 years ago during Wicket Fest and since then, a mobile stage has been introduced to put the stage in a different place and sound levels have been monitored.

The Trustee of the Club summed up by explaining that the premises has been operating for many years, with no trouble and attracts young people to participate in sporting activities. The number of social members is declining, and the premises are looking to attract different clientele. The application is required to extend hours for organised events and private functions, as well as being able to sell alcohol to non-members. The premises are considered reasonable and have adapted their operating schedule to mitigate concerns raised by Leeds City Council's Environmental Protection Team and the application is supported by local ward councillors.

The Sub Committee deliberated in private and in reaching its decision, considered the report of the Head of Elections, Licensing and Registration, including the written representations opposing the application. The Sub Committee also had regard to the relevant provisions of the Licensing Act 2003, the Guidance issued under Section 182 of the Act and Leeds City Council's Statement of Licensing Policy. The Sub Committee also considered the oral representations, contributions, and explanations from the Trustee, Club Chairman and DPS.

RESOLVED – To grant the application as applied for.

8 Application for the Grant of a Premises Licence for Cat's Pyjamas Unit 2, 5 Stainbeck Lane, Meanwood, Leeds, LS7 3PJ

The report of the Chief Officer (Elections and Regulatory) presented an application for the grant of a premises licence, made by Mr Zulfiqar Hussain, for Cat's Pyjamas, Unit 2, 5 Stainbeck Lane, Meanwood, Leeds, LS7 3PJ.

The application explained that the premises intends to operate as a restaurant and takeaway proposing:

- *Sale by retail of alcohol - Sunday to Wednesday 10:00 - 00:00 and Thursday to Saturday 10:00 - 01:00*
- *Provision of late night refreshment - Sunday to Wednesday 23:00 - 00:00 and Thursday to Saturday 23:00 - 01:00*
- *Performance of recorded music - Sunday to Wednesday 09:00 - 00:00 and Thursday to Saturday 09:00 - 01:00*

The Legal Officer outlined the procedure to be followed and the Licensing Officer presented the application.

A representation had been received from Leeds City Council's Environmental Protection Team in their capacity as a responsible authority. The operating schedule had been amended to include suggested measures and the representation had been withdrawn. The application had also attracted representations from two members of the public opposing the application on the grounds of crime & disorder and public nuisance.

Mr Zulfiqar Hussain was in attendance and explained his time as an experienced operator and for being awarded an MBE in Elizabeth II Birthday Honours for his services to business and charities. The premises has created 20 new jobs in the local area. The applicant listed several reasons for obtaining a licence, those being:

- Conditions have been discussed with responsible authorities and robust measures have been implemented to meet the licensing objectives.
- Premises nearby operate with a premises licence with similar hours, and it is believed that the premises will not create any issues.
- The premises does not intend to be 'rowdy' and is predominantly restaurant based.
- The business is not viable without a licence, and 20 local jobs could be lost should the licence not be granted.

- The premises has operated since 7th October 2022 with Temporary Event Notices (TENs) and no objections or complaints have been received.
- The occupier situated above the premises did not submit a representation as he was outside of the consultation period but has informed the applicant that he has not had any issues with noise and following visits to the restaurant believes the manager is polite and respectful of the local area.
- The applicant has been in the trade for over 12 years and owned a number of restaurants in Leeds, without receiving complaints from residents. The applicant has also had discussions with the owner of Black Market around consulting residents. The applicant has attempted to engage with those that submitted representations, via Leeds City Council and by direct contact.

Further to questions from Sub-Committee members the following was confirmed:

- It is intended that the premises will be 80% restaurant and 20% takeaway led. The model will replicate the Headingley restaurant, and it is predicted that people who order takeaway from Headingley to Chapel Allerton, will dine in at the premises. Takeaways will be delivered by Deliveroo, and the premises will not be delivering their own takeaways.
- There will be no music or serving of alcohol outdoors from 11pm and people will not be allowed to congregate outside. Staff will be trained to identify patrons who have consumed too much alcohol and will refuse sales. Notices will also be displayed in the premises to remind people to be mindful of residents when leaving the premises.
- Black Market operated to lesser hours and included restrictions on the outdoor space. Cat's Pyjamas will have a lower price per head, to cater for families and children, and to also compete with direct competition in the area.
- The premises has been running on a TEN since 7th October 22, and there is 1 day available before reaching the annual allowance.
- Contact details can be found on the premises website and the Facebook social media page, and the applicant is happy to provide personal contact details to nearby residents.
- The DPS is the applicant's sister, and the applicant also has his own personal licence. The manager at the premises will be trained and put through the process of becoming a personal licence holder.
- The premises has 30 seats inside and is too small to cater for private functions.

The Sub Committee deliberated in private and in reaching its decision, considered the report of the Head of Elections, Licensing and Registration, including the written representations opposing the application. The Sub Committee also had regard to the relevant provisions of the Licensing Act 2003, the Guidance issued under Section 182 of the Act and Leeds City Council's Statement of Licensing Policy. The Sub Committee also considered the oral representations, contributions, and explanations from the applicant.

RESOLVED – To grant the application as applied for.

