

Licensing Sub-Committee

Tuesday, 20th December, 2022

PRESENT: Councillor A Hutchison in the Chair

Councillors A Garthwaite and L Richards

1 Election of the Chair

RESOLVED – To elect Cllr Hutchison as 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

Supplementary information in relation to agenda item 6 - Application for the grant of a premises licence for New Dock Hall - Royal Armouries, Armouries Drive, Hunslet, Leeds, LS10 1LT and agenda item 7 - Application for the grant of a premises licence for Royal Armouries Museum, Armouries Drive, Hunslet, Leeds, LS10 1LT had been circulated to all interested parties prior to the hearing date.

There was one formal late item which was added to the agenda as item 8 for a Temporary Event Notice for Premier Banqueting Premier Banqueting, Stoney Rock Lane, Burmantofts, Leeds, LS9 7TZ

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Application for the grant of a premises licence for New Dock Hall Royal Armouries, Armouries Drive, Hunslet, Leeds, LS10 1LT

The report of the Chief Officer Elections and Regulatory presented an application for the grant of a premises licence made by Board of Trustees of The Armouries, for New Dock Hall - Royal Armouries, Armouries Drive, Hunslet, Leeds, LS10 1LT.

In attendance for the hearing were:

- Ben Williams of Kings Chambers – applicant's representative
- Ben Campbell – Venue Director, Royal Armouries
- James Parker – DLA Piper

The Legal Officer outlined the procedure for the hearing.

The Licensing Officer presented the application, providing the following information:

- The application was made to replace a lapsed premises licence. The premises had held a premises licence since November 2005 until the licence holder Royal Armouries (International) Plc., had been dissolved on 20th September 2022. With no application to transfer the licence within the statutory 28 day period, the licence ceased to have effect with no option for it to be reinstated.
- The application was for:
 - Sale of Alcohol every day 09:00-01:00
 - Plays, films, indoor sporting events, boxing and wrestling, live music, recorded music, performance of dance and anything of a similar description every day 09:00-01:00
 - Late night refreshment every day 23:00 01:00
 - Non-standard timings on New Year's Eve from 09:00 to the end of hours on New Year's Day.
- A redacted copy of the application was appended to the submitted report at Appendix A. The applicant proposed to promote the licensing objectives by taking steps identified in Section M of the application. It was noted that the hours for activity differed from those in the application, as the applicant had amended the operating schedule following submission of the application by email which was attached to the report at Appendix B.
- A map identifying the location of the premises was attached at Appendix C.
- Representations had been received from Environmental Protection Team and West Yorkshire Police. However, negotiations had taken place with both responsible authorities and the operating schedule had been amended to include the measures agreed with both Environmental Protection Team and West Yorkshire Police. Copies of the agreements were appended to the report at Appendices D and E.
- The application had attracted representations from members of the public opposed to the application on the grounds of public nuisance. Concerns had been expressed that they may be at risk of retribution should their details be made public. Therefore, personal details had been redacted and they were to remain anonymous. For this reason, they did not attend the hearing and requested that their representations be considered fully in their absence. Redacted copies of the representations were attached to the submitted report at Appendix F.

Mr Williams addressed the Sub Committee providing the following information:

- He was of the view that it was a shame the residents had not attended the hearing as he thought they would have taken comfort in the changes being made. He explained that the Royal Armouries (International) Plc. had not gone into administration but had been dissolved which had brought new faces and a 'new tide'. A recent study showed that the Royal Armouries brought £50 million to Leeds and was an important landmark for the city.
- He was surprised at the scepticism and trepidation and was of the view there was no justification of fear to be had as the venue director only wished to meet with residents and discuss the proposed changes.
- Mr Williams requested that the Sub Committee grant the application in full as applied for. The reason for this was that the amendments had only been made as the venue wanted to work with the residents but as no contact had

been forthcoming, they were unsure if the proposed amendments were acceptable.

- Mr Williams said that Mr Campbell had worked with the Environmental Protection Team and West Yorkshire Police and agreed to the measures proposed. He said that the Fire Service had also endorsed the proposed amendments.
- Mr Williams said that the complaints of the three residents had been about issues arising in the past. This operator had run recent events using Temporary Event Notices (TEN's) and had run them properly with no issues. It was noted that Mr Campbell had worked in the trade and was able to display considerable expertise in running events and that his expertise had come from running events at the York Railway Museum.
- He acknowledged that there were valid reasons for the concerns of residents in this location. However, there would be a certain amount of noise for residents in this location as it was a bustling city centre location. He explained that Mr Campbell also lived in one of the apartments and was aware of issues that a city centre apartment can have. He acknowledged that residents did not like surprises and now provided the residents with a list of events to be held at the Armouries in advance, so they were aware of potential increased noise levels on certain days and evenings. He said that Mr Campbell was also aware of the noise that the emptying of bottles can have and had made positive changes to this.
- It was the view that the hours of operation suggested by the residents were not workable.
- Mr Williams addressed one of the examples set out in a representation saying that on the date in question there had been no events at the Armouries. He was only aware that on this weekend in question there had been a ladies' lunch on the Friday and an exhibition of dance by children on the Sunday. It was the view that any noise related issues referred to were not from this venue.
- Mr Williams said that Mr Campbell was a responsible operator who wanted to do things better and promised to run events properly and work with the residents.

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

- Mr Campbell said that he had been operating at this venue for seven months dealing with the period of change after Covid. He had used TEN's to run events such as award dinners, charity boxing matches and government conferences.
- The venue had close links with West Yorkshire Police, Environmental Protection Team and the Fire Service.
- A Dispersal Policy was now in operation at the venue. This had been lacking with the previous operators and was followed with all staff and security trained in the use of it. It ensured that patrons were dispersed quickly and quietly, with patrons held inside the venue until their taxis arrived. Signage had been added and there was a cordoned off smoking area away from residents, which was monitored.

- Members were advised that the Dispersal Policy had evolved through a career in the industry and had worked well at other venues.
- It was noted that stewards were on duty from the start of events covering the outside and inside areas. They were able to direct patrons attending events to taxi ranks, bus and train stations.
- In relation to litter it was noted that the staff undertook periodic litter picks in teams of four with the stewards and cleared the area after all events. No bottles or glasses were allowed to be taken outside the venue.
- The venue director was in liaison with the Taxi Association to discuss the need for taxis to attend after events.
- A list of forthcoming events was sent to all residents for awareness advising them of events, dates and times. It was hoped that this would allow residents to be prepared for events and let them know of events if they wished to attend.
- It was explained that the Royal Armouries had been part of a PFI scheme and had been owned by the Government when it was formed in 1993. Since Royal Armouries (International) Plc had been dissolved there had been changes of staff.
- TEN's had been used to host events with 26 days of events including a temporary marquee over three days. 370 events had been hosted over the past 7 months which had included conferences, dinners and exhibitions. Members were advised that the next event was due to be held on Friday 23rd December 2022. It was noted that February – October were quieter months.
- It was clarified that it was better and safer for the premises to have separate licences as they were two separate premises. The proposed DPS would be Rodney Taylor who had been the DPS previously and had remained after the buy-out.

Members considered all the information presented to them at the hearing and within the agenda pack and their discussions included:

- Dispersal Policy and the exit now to the rear of the premises away from residential areas.
- Stewards on the doors at all times.
- The willingness of the operator to engage with residents to try and address concerns.
- Seriousness of the new operator
- The fact that glass and litter may not just be from these premises.

RESOLVED – To grant the application for a premises licence as applied for, as revised by the Applicant prior to the hearing, and subject to the conditions agreed with the responsible authorities, also in advance of the hearing.

7 Application for the grant of a premises licence for Royal Armouries Museum, Armouries Drive, Hunslet, Leeds, LS10 1LT

The report of the Chief Officer Elections and Regulatory requested Member's consideration on an application for the grant of a premises licence for Royal Armouries Museum, Armouries Drive, Hunslet, Leeds, LS10 1LT.

In attendance for the hearing were:

- Mr Ben Williams of Kings Chambers – Representing the applicant
- Mr Ben Campbell – Venue Director – Royal Armouries
- Mr James Parker – DLA Piper

The Licensing Officer presented the application providing the following information:

- The application was made to replace a lapsed premises licence. The premises had held a premises licence since November 2005 until the licence holder Royal Armouries (International) Plc., had been dissolved on 20th September 2022. With no application to transfer the licence within the statutory 28 day period, the licence ceased to have effect with no option for it to be reinstated.
- The application was for:
 - Sale of Alcohol every day 09:00-01:00
 - Plays, films, indoor sporting events, boxing and wrestling, live music, recorded music, performance of dance and anything of a similar description every day 09:00-01:00
 - Late night refreshment every day 23:00 01:00
 - Non-standard timings on New Year's Eve from 09:00 to the end of hours on New Year's Day.
- A redacted copy of the application was appended to the submitted report at Appendix A. The applicant proposed to promote the licensing objectives by taking steps identified in Section M of the application. It was noted that the hours for activity differed from those in the application, as the applicant had amended the operating schedule following submission of the application by email which was attached to the report at Appendix B.
- A map identifying the location of the premises was attached at Appendix C.
- Representations had been received from Environmental Protection Team and West Yorkshire Police. However, negotiations had taken place with both responsible authorities and the operating schedule had been amended to include the measures agreed with both Environmental Protection Team and West Yorkshire Police. Copies of the agreements were appended to the report at Appendices D and E.
- The application had attracted representations from members of the public opposed to the application on the grounds of public nuisance. Concerns had been expressed that they may be at risk of retribution should their details be made public. Therefore, personal details had been redacted and they were to remain anonymous. For this reason, they did not attend the hearing and requested that their representations be considered fully in their absence. Redacted copies of the representations were attached to the submitted report at Appendix F.

Mr Williams advised the Sub Committee that his submission was the same as for the previous application referred to in Minute 6 – Application for the grant of a premises licence for the New Dock Hall- Royal Armouries, Armouries Drive, Hunslet, Leeds, LS10 1LT.

Responding to a further question from the Members, Mr Campbell said the number of events up to the pandemic were between 395 and 420. It was his ambition to increase the number of events at the Royal Armouries up to 500. He said that his aim was to change the outlook and demographics for the events from local events to more national events.

In summing up Mr Williams requested that the application be granted as applied for. He said that concessions had been offered, however, there had been no communication from the residents to their proposals and suggested that terms proposed at the outset for the application be considered.

Members considered all the information presented to them at the hearing and within the agenda pack.

RESOLVED – To grant the application for a premises licence as applied for, as revised by the Applicant prior to the hearing, and subject to the conditions agreed with the responsible authorities, also in advance of the hearing.

8 LATE ITEM - Temporary Event Notice for Premier Banqueting, Stoney Rock Lane, Burmantofts, Leeds, LS9 7TZ

This was a late item added to the agenda as Item 8.

The report of the Chief Officer Elections and Regulatory advised the Licensing Sub Committee of a Temporary Event Notice for Premier Banqueting Suite Stoney Rock Lane, Burmantofts, Leeds. LS9 7TZ.

In attendance for the hearing were:

- Elizabeth Hebbert – Environmental Protection Team
- Merita Kasa – Proposed premises user
- Olsi Kasa – Proposed premises user's Husband

The Legal Officer set out the procedure for the hearing.

The Licensing Officer presented the application providing the following information:

- Members were advised that a temporary event notice had been received and that Leeds City Council's Environmental Protection Team had served an objection notice on the grounds of public nuisance.
- The proposed premises user was Merita Kasa and a copy of the temporary event notice was attached to the submitted report at Appendix A.
- The temporary event notice was for:
 - Sale of alcohol
 - Provision of late night refreshment
 - Regulated entertainment

- From 20:00 hours on Sunday 1st January 2023 to 01:00 on Monday 2nd January 2023.
- A map showing the location of the premises was appended to the report at Appendix B.
- Members were advised that there was no premises licence in force for these premises.
- West Yorkshire Police and LCC Environmental Protection Team had each received a copy of the notice. Environmental Protection Team considered that allowing the premises to be used in the manner set out in the temporary event notice would undermine the prevention of public nuisance licensing objective and issued an objection notice, this was appended to the submitted report at Appendix C.

The Environmental Protection Officer explained that the premises had a long history of complaints over the past 10 years. The first complaint this year had been in January 2022. The Officer said that she had been working on complaints in relation to the premises since April 2022.

The owner of the premises had been provided with advice in relation to reducing noise nuisance and had been served a noise abatement notice on 27th July 2022. This had been served in relation to:

- Playing of loud music
- Noise of patrons on entering and exiting the premises.
- Car horns and vehicle engines idling.

Work had been undertaken with the venue and there were signs of gradual improvements. During discussions with a manager in Environmental Protection it has been suggested that as part of the terms and conditions for the venue that music should be turned off at 11pm.

There were concerns in relation to this event as the finish time was requested as 01:00am, there was a request for live music and there would be approximately 300 people attending the event. Environmental Protection were concerned that complaints would be received from residents who live close by in relation to noise from patrons leaving the premises, noise of vehicles and of loud music.

The Officer informed the Sub Committee that noise recording equipment had been used at the premises for previous events due to complaints received.

The Officer said she had spoken to the owners of Premier Banqueting Suite and to Mrs Kasa the day before to explain the concerns and request that the event finished at 11pm.

Mr Kasa addressed the Sub Committee explaining that for the last 10 years his wife Mrs Kasa had been organising family events in London with his security firm providing security for the events. The events are well organised and there has never been a problem with them in London. The events are for families and there is no shouting or drunken behaviour.

Mr Kasa informed the Members that he had run his security company since 2006 and would be providing the security for this event.

It was clarified that although this is applied for as a New Years Eve event it would be taking place on 1st of January 2023, New Year's Day.

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

- The Officer said they were happy for the event to run until 11pm. She explained that 11pm until 7am was the time when most people were relaxing or sleeping, during these hours noise issues can be intrusive and impact on people's sleep. She was of the view that a terminal hour of midnight was still late and people leaving the venue at this time would impact on people living close by.
- Mr Kasa said his security team would be at the event throughout the night and would be in control of patrons leaving the premises, so as not to disturb residents, they would be on duty in the venue, the car park and the street.
- Mr Kasa explained that he was looking to expand his business from London and had chosen Leeds. Previous events had been held in London, these were family events with children attending and there had been no issues. He said that they were holding an event in London on 31st December, in London, there had been no objection from that council. This was the first time he had decided to have an event in Leeds, if he had done more research, he would not have selected this venue.
- Mr Kasa said that this was a ticketed family event with people coming from Derby, Birmingham and Leeds. There would be a sit-down meal and live music. Two performers would be playing house music each performing for one hour, starting at 9pm and finishing at 11pm.
- Mr Kasa said that his wife organises 3 events a year in London which include Mother's Day, New Year's Eve and New Year's Day, all are family events.

The Officer in summing up highlighted the proximity of residents to the venue and the work that had already taken place with the venue to restrict noise disturbance. The concern was that music and alcohol would mean a lively event which could cause noise nuisance. It was noted that previously there had been an issue with bass music causing noise disturbance for residents.

Members considered all the information presented to them and their discussions included the timing of the event and the need for better terms and conditions from the venue in relation to the terminal hour for events.

The Legal Officer had provided advice to Members who had wished to impose a terminal hour of midnight. The advice was legislation in relation to Temporary Event Notices, which was that the Sub Committee were unable to alter the hours or, in the absence of a premises licence, to add conditions for Temporary Event Notices.

RESOLVED – To grant the Temporary Event Notice as applied for. The Sub Committee requested feedback from Environmental Protect Team on the event.

The meeting concluded at 13:07