

Licensing Sub-Committee

Tuesday, 16th May, 2023

PRESENT: Councillor A Garthwaite in the Chair

Councillors L Farley

1 Election of the Chair

RESOLVED – To elect Councillor A Garthwaite 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 late items.

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Application for the grant of a premises licence for The Office Saloon 4 Oxford Street, Guiseley, Leeds, LS20 9AX

The report of the Chief Officer Elections and Regulatory set out an application for the grant of a premises licence, made by Roots Leisure Ltd, for The Office Saloon, 4 Oxford Street, Guiseley, Leeds, LS20 9AX.

In attendance for the meeting were:

- Applicant – Mr Muthadi Alleyne on behalf of Roots Leisure Ltd
- Ms V Holroyd – Environmental Protection Team
- Ms Kate Coleman – Environmental Protection Team
- Mr W Anderson – Environmental Protection Team (observing)
- Journalist – David Spereall

The Legal Officer explained that unfortunately the Licensing Sub Committee was sitting with only two Members present. He explained that the Constitution stated there should be three Members present. However, with the agreement of all parties the meeting could go ahead with just two Members, with the proviso that the decision would have to be unanimous. It was with the agreement of all parties present that the meeting should continue.

The Legal Officer outlined the procedures for the hearing.

The Licensing Officer provided the Licensing Sub Committee with the following information:

- This is the first application for a premises licence for these premises. The applicant's name is Roots Leisure Ltd. The proposed designated premises supervisor is Muthadi Anwaar Alleyne.
- The application was for
 - Sale by retail of alcohol
 - Every day 08:00 – 00:00
 - Late night refreshment
 - Every day 23:00 – 00:00
 - Exhibition of film
 - Monday to Saturday 08:00 – 23:00
 - Sunday 09:00 – 23:00
 - Performance of recorded music
 - Every day 08:00 – 00:00
- A redacted version of the application was appended to report at Appendix A with measures to promote the licensing objectives set out at Section 18.
- A map with the location of the premises was attached at Appendix B
- Representations had been received from West Yorkshire Police in their capacity as a responsible authority. However, any representation may be negotiated prior to the hearing and in this instance the operating schedule had been amended to include the measures agreed with West Yorkshire Police. A copy of the agreement was attached to the submitted report at Appendix C.
- A representation submitted by the Environmental Protection Team remained as a matter for Members consideration. A copy of the representation was appended to the report at Appendix D.

The applicant explained that a grant of a premises licence would expand his business. It was his plan to hold tasting events and show how coffee could be used to make cocktails such as Espresso Martinis. His plan included coffee and cakes during the daytime moving through to the evening with drinks and live music. However, he was willing to forgo having live music if this affected his licence application.

Mr Alleyne said he was aware of the objection due to concerns of noise and explained that his premises was located within a mainly commercial area, but the social club was now residential properties. He was of the view that as the residential properties had previously been a club the walls would be thick enough to prevent sound travelling to other premises.

He explained that he has other businesses around the country. This particular premises was small, and all events would be seated with table service only. He wanted to provide a high-end service for the local community where families and friends could meet. Currently, he provided coffees, cakes and pastries throughout the day and would like to be able to provide alcohol on an evening.

Mr Alleyne recognised that this part of Guiseley was quiet, with only hairdressers and florists and little through traffic. Many of the businesses had been in that location for a number of years and people in the area were excited by the business that he had brought to the area. He said that he was from Guiseley and therefore understands the needs of the community.

It was his proposal that the music would not be loud but would be background music. He planned to have set menus and would like to be able to offer a glass of wine with these menus.

The Environmental Protection Team had brought an objection due to noise nuisance with the hours applied until midnight. They provided the following information to the Sub Committee:

- It was their view that little information had been provided by Mr Alleyne to mitigate noise from his premises. The residential properties are within what used to be the Liberal Club and all other previous businesses in the proposed premises had operated from 9am until 5pm.
- This is a quiet residential area, and it was thought that the noise insulation would not be adequate for the residents who now occupy the flats of the former Liberal Club.
- The proposal for the venue to hold up to 30 people would cause an issue of noise with people smoking outside and, waiting for taxis which would disturb local residents.
- It was noted that there had been ongoing issues with the former Liberal Club due to noise complaints with the transmission of music through walls. When the flats were built, they had not been designed for a bar style premises next door.
- The Environmental Protection Team provided examples of complaints in relation to noise issues including the sound of hand dryers, and noise of people speaking.
- It was noted that Mr Alleyne had not requested planning permission for change of use and if this had been the case the Environmental Protection Team would have requested sound insulation for the premises. However, this would not stop people's sleep being disturbed by people congregating to smoke or waiting for taxis.
- They were of the view that complaints would come forward if the premises licence was granted for the hours applied for.

In response to questions from the Members the following information was provided:

- It was noted that a venue nearby which has had complaints raised was a significantly bigger venue. It did operate through the day, but the complaints were in relation to issues after 9pm.
- The former Liberal Club was part of the community fabric and had been built around the time of the other properties in the area.
- Mr Alleyne said that he would be happy to work with the Environmental Protection Team and look at insulation schemes to mitigate sound.
- Mr Alleyne said that he would be happy to reduce the operating times. It was suggested by Environmental Protection Team that 10pm would be more acceptable.
- Mr Alleyne said that the experience he was wanting to offer with his taster menus would make it difficult if he was only able to sell alcohol with food.
- Mr Alleyne said that he had requested the licence to include films as he was of the view that friends would enjoy visiting his premises to watch a retro film and enjoy a drink also. He admitted he had not given the film part of the licence much thought and was flexible about this being on the licence.

- This venue was to be seated only. It was a small venue and there would be no dancing.
- Mr Alleyne explained that signage would be used to request people to leave the premises quietly and he would encourage people to leave in small groups. He would also encourage taxis to use the parking area located a short distance away from the premises for pick up.
- Mr Alleyne informed the Members that his café/bistro had been operating for about twelve months and no issues had been raised so far. Many of his regular customers were from the area and he wished to create a membership scheme for those who visited the premises on a regular basis. He wished to provide a teaching and learning experience for his customers and hold wine tasting events. He did not wish to have stag or hen parties and was of the view that his venue did not have the right space for such events.
- It was noted that no objections had been received from residents or ward councillors to the application.

Members considered all the information presented to them including:

- The size of the venue;
- The proposed business plan;
- Operating times; and
- No objections from residents or ward councillors

RESOLVED – To grant the premises licence subject to the amendment of the operating schedule so that all licensable activities to cease at 10pm, and for the premises to be closed to the public at 10.30pm.

The meeting concluded at 11:45