

Licensing Sub-Committee

Tuesday, 22nd May, 2018

PRESENT: Councillor G Wilkinson in the Chair

Councillors N Buckley and K Groves

1 Election of the Chair

RESOLVED – That Councillor G Wilkinson be elected as a Chair.

2 Exempt Information - Possible Exclusion of the Press and Public

3 Declarations of Disclosable Pecuniary Interests

There were no declarations.

4 Application for the grant of a premises licence for Freedom Mills Unit 47, Washington Street, Kirkstall, Leeds, LS3 1JQ.

The report of the Head of Elections, Licensing and Registration presented an application for the grant of a premises licence at Freedom Mills, Unit 47, Washington Street, Kirkstall, Leeds.

In summary the application was for the performance of plays, exhibition of film, indoor sporting events, boxing or wrestling events, performance of live music, recorded music, performance of dance, provision of facilities for making music, provision of facilities for dancing, anything of a similar description, sale of alcohol and late night refreshment – every day 12:00 – 05:00.

The application had received representations from responsible authorities.

The Licensing Officer presented the application and informed the Sub-Committee that the application had previously been deferred on 27 March and 24 April 2018. Agreement had been reached with West Yorkshire Police following their representations and there was an outstanding representation on behalf of the Licensing Authority.

The following were in attendance:

Matthew Cooney – Licensing Consultant
Joshua Threlfall – Director, Freedom Mills
Kyle Mc Sporrán – DPS, Freedom Mills
Samantha Longfellow – Licensing Authority
Michael Waters – Licensing Authority
Seamus Kennedy – Licensing Authority

Mr Cooney addressed the Sub-Committee. He informed them that the premises was currently used as an art/event space and was an asset to the Leeds Art Community. Temporary Event Notices had previously been used at the premises and it had been decided to apply for a full licence. Further issues highlighted included the following:

- The licence would be used for impromptu/casual events such as end of year student graduation parties.

- The applicant was not informed that planning permission would be required until after this application had been submitted. It was reported that should the premises licence be granted, there would not be any operation of this until planning permission had been received.
- All necessary works had been carried out in relation to fire safety.
- The premises were located out of town and not in a trouble spot area.

In response to questions from the sub-committee, the following was discussed:

- Following the prohibition notice issued by West Yorkshire Fire and Rescue Service, it was confirmed that all their concerns had been addressed and this had now been signed off.
- It was not intended to use the full hours available on the licence. This would only be on an occasional basis.
- There could still be the use of Temporary Event Notices for club style nights at the premises. These would occasionally be run in conjunction with partners who wished to hire the venue.
- The premises would be used for a wide range of functions. The licence was required for events that would generate needed income.
- There was a regular security team used at the premises who would be used for any events that so required.
- It was not intended to operate a nightclub style operation at the premises.

Samantha Longfellow addressed the Sub-Committee on behalf of the Licensing Authority. She informed the Sub-Committee of concerns relating to public safety at the premises that had initially been due to the capacity of the premises and lack of suitable exits. Reference was made to the recent history of visits from the Licensing Authority and Building Control and ongoing discussion. In response to questions it was reported that main concerns focussed on public safety and should planning permission be granted and building control measures be satisfied then any objections would be withdrawn.

In summary, Mr Cooney reiterated that there would not be any licensable activities at the premises until the relevant planning permission had been received.

The Licensing Sub-Committee carefully considered the report of the Head of Elections, Licensing and Registration, the Statement of Licensing Policy and the representations submitted and those made at the hearing.

RESOLVED – That the application be granted as applied for with additional agreed conditions between the operator and West Yorkshire Police.

5 Application for the grant of a premises licence for Restaurant, 152 Harrogate Road, Yeadon, Leeds, LS19 6AH

The report of the Head of Elections, Licensing and Registration presented an application for the grant of a Premises Licence for a restaurant at 152 Harrogate Road, Yeadon, Leeds.

The Licensing Officer presented the application which was for the following:

Recorded Music, Performance of Dance, Supply of Alcohol:

Every day 11:00 to 00:00

Late Night Refreshment:

Every day 11:00 to 00:00

The application had attracted representations from Environmental Health and West Yorkshire Police. These representations had been settled subject to conditions to be attached to the Licence should it be granted.

There had also been letters of objection from local residents.

The following were in attendance for this item:

- Meghan Waldron – Solicitor
- Mr R Kaftar – Applicant
- Mrs L Kaftar

Ms Waldron addressed the Sub-Committee on behalf of the applicant. She informed the Sub-Committee that the premises was currently a fish and chip shop takeaway with a seated area. The application was a conversion to a restaurant but would retain a takeaway element which would be separate to the restaurant area. The premises would be predominantly food led with alcohol ancillary to meals. There was not any intention to have customers in for alcohol only.

With regard to objections that had been received there had been discussions to address the concerns raised. Agreement had been reached with West Yorkshire Police and Environmental health following their submissions. With regard to concerns from local residents it was reported that there would be no outside seating areas; deliveries would be to the front of the premises and there would be notices reminding customers to be quiet upon leaving the premises. Usually only background music would be played at the premises but there would be infrequent live music performances. These would finish no later than 10:00 p.m. and would not be audible to residential properties. In response to questions from the sub-committee it was confirmed that smokers would use the outside area to the front of the premises and there would be no public access to the rear.

The applicant submitted an operating schedule that covered all previously agreed conditions along with further proposed conditions.

The Licensing Sub-Committee carefully considered the report of the Head of Elections, Licensing and Registration, the Statement of Licensing Policy and the representations submitted and those made at the hearing.

RESOLVED – That the application be granted as applied for (with the exception of Late Night Refreshment due to an error on the application form) and with the conditions agreed with West Yorkshire Police and the Environmental Protection Team. Also to include the additional conditions as proposed by the applicant.

**6 Application to vary a premises licence held by Botanist Unit 2.42, 67
Boar Lane, Leeds, LS1 6HW**

This application was settled prior to the meeting.