

Licensing Sub-Committee

Tuesday, 20th November, 2018

PRESENT: Councillor G Harper in the Chair

Councillors A Garthwaite and G Wilkinson

1 Election of the Chair

RESOLVED - That Councillor Gerald Harper be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application to vary a premises licence held by Krakus 54 Harehills Road, Harehills, Leeds, LS8 5LE

The report of the Chief Officer Elections and Regulatory set out an application for the variation of a premises license for Krakus 54 Harehills Road, Harehills, LS8 5LE.

The following were in attendance:

Sgt Martin Mynard – West Yorkshire Police
PC Andy Clifford – West Yorkshire Police
Ian and Bernice Cockerham – Members of the public
Ian Shaw – GT Licensing (on behalf of the applicant)
Susan Holden – Licensing Authority
Councillor Arif Hussain

Mr Shaw informed the Sub-Committee that his client, Miss Anna Strychaz, requested that Members consider adjourning the meeting to a later date. He explained that his client was unable to attend due to a short term illness, and that GT Licensing were unable to provide legal representation at the hearing, as his legally trained colleagues were otherwise engaged in other hearings.

Members heard from all representatives present, all of whom found the request for postponement disappointing and inconvenient and wished for the hearing to continue.

Members carefully considered the request to adjourn the meeting to a later date, recognising the time that the objectors present had taken to attend the hearing. However, Members were concerned that, in the absence of both the applicant and her legal chosen representative, to proceed with the application could infringe Miss Anna Strychaz human rights. Therefore, to enable the applicant to contribute to the hearing, the Sub-Committee agreed for the meeting to be adjourned to the next available date. The Chair also took the opportunity to apologise to members of the public, West Yorkshire Police, the Licensing Authority and Councillor Arif Hussain for any inconvenience caused.

RESOLVED – That the application be deferred to be heard by the Licensing Sub-Committee on Tuesday, 15th January 2019.

7 Application for the grant of a premises licence for Residence 74, 74 Otley Old Road, Cookridge, Leeds, LS16 6LQ

The report of the Chief Officer Elections and Regulatory set out an application for Residence 74, 74 Otley Road, Cookridge, LS16 6LQ.

In summary, the application sought the grant of a premises license for the sale of alcohol Sunday to Thursday 08:00 to 21:00 and Friday and Saturday 08:00 to 22:00.

It was noted that no non-standard timings for bank holidays or special occasions were proposed.

Members were advised that a representation had been received from Planning Services in their capacity as a responsible authority. However, negotiations had taken place prior to the hearing and the operating schedule had been amended to include the measures with Planning Services which were appended to the submitted report at Appendix D.

Members heard that the application was before them as two representations had been received from members of the public on the grounds of public nuisance and protection of children from harm. Members were informed that one of the objections had been withdrawn prior to the hearing.

The following were in attendance:

Salar Eftekhary – Applicant

Hashain Bashir – Observing in support of the applicant

Mr Eftekhary addressed the Sub-Committee. Members heard of his previous experience within the hospitality sector, and were assured that CCTV would be installed to the internal and external of the premises. Mr Eftekhary's intention was to improve the local area and create a desirable establishment for young-professionals.

In response to questions from Members, the following points were noted:

- The capacity of the premises would hold 26 people.
- The types of drinks being served included 3 draft beers, local wines and regional spirits.
- The clientele Mr Eftekhary intended to attract were young professionals and those commuting home from work, wanting a relaxed drink and/or small plate.

- Intention wasn't for Residence 74 to be a bar, but there is the potential for customers to solely order drinks.
- The music played would be recorded and ambient with no intention for live music. It was further reported that the music was not intended to be loud.
- The Challenge 25 policy would be endorsed.

The Licensing-Sub Committee carefully considered the application, the report and representations.

RESOLVED – That the application be granted as applied for, with the addition of the agreed condition set out in the report between Planning Services and Mr Eftekhary.