

## **Licensing Sub-Committee**

**Tuesday, 11th December, 2018**

**PRESENT:** Councillor R Downes in the Chair

Councillors B Flynn and G Wilkinson

**1 Election of the Chair**

**RESOLVED** – That Councillor Downes be elected to the 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 formal late items, however there was some supplementary information provided to Members at the meeting relating to item 9 – grant of a premises license for Moor Allerton Sports and Social Club, which included:

- A statement provided by the applicant
  - Audio evidence of noise pollution and a photograph showing the proximity of the centre and residential, provided by an objector, Mr Mann
- (Minute 9 refers)

**5 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

**6 Certification Of Films**

The report of the Chief Officer, Election and Regulatory presented an application for the certification of films to be shown at the Hyde Park Picture House on 29th December 2018.

The Licensing Officer presented the report and informed the Sub-Committee that the application had been received as the films had not been classified by the BBFC. The report outlined a brief synopsis of the films to be shown and the various classifications for each.

Wendy Cook from Hyde Park Picture House addressed the Sub-Committee and provided some context of the partnership work with London Festival and informed the Sub-Committee that classifications U and PG were desired.

Members queried why the second series of films were seeking U instead of PG. They were informed that it is more dramatic and best suited for an older audience.

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

**RESOLVED-** That the application be granted as applied for.

**7 Application for the grant of a premises license for Deli/Bistro 55  
Austhorpe Road, Leeds, LS15 SEQ**

This application was settled prior to the hearing.

**8 Application for the grant of a premises licence for Jump Inc 1 Benyon  
Park Way, Holbeck, Leeds, LS12 6DP**

The report of the Chief Officer, Election and Regulatory presented an application for the grant of a premises license for Jump Inc 1 Benyon Park Way, Holbeck, Leeds, LS12 6DP.

In summary, the application sought the grant of a premises license for:  
Sale of alcohol - Everyday 09:00 – 22:00

Members heard the application was before them as a representation had been received from a Ward Councillor.

Representatives from Futures Ltd, Gary Heppinstall, Manager and Lee Shipley, Owner, addressed the Sub-Committee. In response to the initial concerns raised from the objector, Members were informed that customers would not be able to consume alcohol whilst using the facilities. The Sub-Committee heard that Futures Ltd, had been in contact with the objector with an attempt to negotiate, suggesting for the opening hours to be reduced, however the objector did not wish to negotiate.

Members heard of the company's wristband procedure, of which customers wearing wristbands would not be served an alcoholic drink if they were wearing one and would have to sacrifice the wristband if they wished to purchase alcohol; further enabling staff to distinguish customers using the facilities.

In response to Members questions, the following points were raised:

- Futures Ltd, had recently obtained a premises license for another site in Lincoln, with the same proposed hours and it was reported that there had been no issues.
- The intention for early operating hours, was to provide flexibility around corporate parties, should they want a drink after the activity.
- The main focus on weekends was to provide provision for toddler group sessions, with the option for adults, to have a beer or glass of wine.
- The types of proposed drinks offered a selection of canned/bottled beers & small bottled wines, all of which will be served in a plastic cups.
- Holds a seating capacity of 100-120 and the majority of their customers are children.
- Staff training will be provided, to identify customers above the limit of alcohol consumption and CCTV is proposed to provide further monitoring measures.
- Patrons would not be allowed to take alcoholic beverages to any external areas.

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

**RESOLVED-** That the application be granted as applied for.

## **9 Application for the grant of a premises licence for Moor Allerton Sports And Social Centre Stonegate Road, Meanwood, Leeds, LS17 6EL**

The report of the Chief Officer, Election and Regulatory presented an application for the grant of a premises license for Moor Allerton Sports and Social Centre Stonegate Road, Meanwood, Leeds, LS17 6EL.

In attendance for the hearing:

Jan Springett, acting secretary  
Ann O' Grady, Centre Manager  
Doug Fern, Trustee

In attendance at the meeting were members of the public who had submitted representations to Entertainment Licensing in objection of the application.

Those who spoke in objection the application were:

Julie & Richard Mann  
Doreen & Peter Moore  
David Hughes

In summary, the application sought the grant of a premises license for:

Films, Live Music, Recorded Music, Dance - Everyday 09:00 – 23:30

Sale of Alcohol - Everyday 09:00 – 23:00

No non-standard timings for bank holidays or special occasions are proposed.

This was the first application for a premises licence.

Members heard the application was before them as seven individual letters had been received from members of the public on the grounds of public nuisance.

Members, Jan Springett, Ann O' Grady and Doug Fern were presented with an audio recording by Mr Mann who said this measured the loud frequencies of noise pollution heard from his home.

Ms Springett addressed the Sub-Committee and sought to reduce the opening hours as set in the supplementary information, which were:

Films, Live Music, Recorded Music, Dance – everyday 09:00-23:00

Sale of Alcohol – everyday 11:00-23:00

Centre opening hours – everyday 09:00-23:30

Key points highlighted:

- The premises is a charity and has been running on site for almost 100 years.
- The centre has a current booking rate of 100 per year of which 25 require the use of the bar; regular bridge nights are held at the club as well as hiring the facilities out for dancing, meetings and celebrations.
- The centre is detached with ample car parking.
- Members were informed the centre had undergone a recruitment process of which a new centre manager had been employed as well as a caretaker, who lives adjacent to the premises and is first aid trained.
- CCTV is installed.

- The bar stops serving at 22:45 and hirers are required to leave by 23:15 to allow them to vacate the centre by 23:30.
- A noise limiter was installed and only on odd occasions throughout the summer, were the windows and doors open.
- Willingness to liaise with resident and resolve complaints.

In response to questions from Members, Ms Springett confirmed that the premises is partly air conditioned in the Bridge Suite, with two fans in the main hall. She expressed that regular meetings with residents, isn't something that had been thought of.

The Licensing-Sub Committee heard from objectors listed and in attendance at the meeting who put forward their reasons for objecting as follows:

- The centre seemed to be the only thing nearby generating significant noise nuisance.
- A complaint was previously raised to the Environmental Protection Team, in order to address the persistency of noise levels coming from the venue in 2005/06.
- Teenage parties weren't the focus of concern, but any age group generating loud noise, particularly later on in the evening; should the number of events increase.
- Layout of the building projects sound.
- Unaware of the measures in place should an incident arise, no point of contact provided.
- Noise limiter hasn't had an overall impact.
- No reference to external drinking; patrons on an evening will congregate outside whilst smoking and drinking.
- Car parking ramp projects light into the property's on an evening when exiting the site.
- Hasn't been an attempt from the club to communicate nor build a relationship with residents in the locality.
- Opening and closing of doors particularly in the summer months is proving an issue; a suggestion for air conditioning throughout the building.
- No supervision of patrons leaving the venue on an evening, queried that measures are put in place for the premises to be monitored.

A member of the public reiterated the importance for regular meetings between the club and residents, to live harmoniously.

In response to further questions put forward from Members, key points were raised:

- It was confirmed there would be a slight increase of local people using the facilities, but not seeking to expand their custom.
- Meeting with residents was something of interest, to solve future problems which may arise.
- The caretaker is available to monitor functions and when he is unavailable, the club will seek to employ a professional security firm.
- It wasn't the intention for the club to become a bar with people walking in off the street, but the club noted the possibility anyone would be able to have a drink.

The Members put forward an additional five conditions to both parties, which could promote the licensing objectives in respect of public nuisance. The operator was in agreement with the suggested conditions, the members of the public would, agree to anything that may help reduce public nuisance from the centre, but they did not think it would help much.

The Sub-Committee carefully considered the application both written and oral, the report of the Chief Officer Elections and Regulatory, the written oral representations from the members of the public. The Committee also took into account Leeds City Council's Statement of Licensing Policy and relevant sections of the Licensing Act 2003.

**RESOLVED-** That the application be granted as applied for, with the reduced hours and subject to the addition of the following conditions:

- A. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.
- B. The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.
- C. The activities of persons using the external areas will be monitored after 23:00hrs and they will be reminded to have regard to the needs of local residents and to refrain from shouting and anti-social behaviour etc when necessary.
- D. The PLH/DPS will adopt a "cooling down" period where music volume is reduced towards the closing time of the premises.
- E. The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

Members also recommended that:

- 1. The centre provide a point of contact to residents' who're affected by licensable activities
- 2. The centre arrange regular meetings with the local residents so as to discuss and address any issues that may arise