

Licensing Sub-Committee

Tuesday, 16th April, 2019

PRESENT: Councillor M Harland in the Chair
Councillors C Knight and G Wilkinson

1 Election of the Chair

RESOLVED – That Councillor M Harland be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

4 Late Items

There were no formal late items. However, there was some supplementary information distributed to Members prior to the meeting in relation to Item 6 (Minute 6 refers)

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests. However, in reference to Item 7, Councillors Harland and Wilkinson wished to inform those present that they had taken part in previous hearings for applications made by Headingley Stadium, but that they would be approach the matter with open minds.

6 Application to vary a premises licence held by Greek Community Hall, The Greek Orthodox Church, Harehills Avenue, Harehills, Leeds, LS8 4EU

The Chief Officer, Elections and Regulatory submitted a report that set out an application to vary the premises held by The Greek Community Leeds, for Greek Community Hall The Greek Orthodox Church, Harehills Avenue, Harehills, Leeds, LS8 4EU.

Prior to the meeting, some supplementary information was published and distributed to the Sub-Committee which included some additional details of events previously held at the premises and responses to complaints within the written objections.

In summary, the application sought to increase licensable activity timings for the sale of alcohol and regulated entertainment, and to add late night refreshment to the licence.

Representations had been received from 7 members of the public, along with a petition containing 29 signatures, all of which were opposed to the application on the grounds of public nuisance and public safety.

The following were in attendance on behalf of the applicant:

- Jasn Karaz, The Greek Community Leeds
- Ironeos Livadiotes, The Greek Community Leeds
- John Howe, Licence Holders Agent

Mr Howe addressed the Sub-Committee on behalf of the applicant, providing Members with some of the historical and religious context to the premises. Mr Howe informed Members that the Greek Community Hall had been operating since around 1960 with a capacity of approximately 120 seated persons, and remained a hub for the Greek community in Leeds. Members heard that there had been no complaints to the Licence Holder or West Yorkshire Police since the grant of the first premises licence in 2015. Mr Howe referenced the car incident that occurred in February 2019, noting that contrary to the objections made, the perpetrator was not from the Greek community who use the facilities at the premises, and that members of the Greek community were the victims of the incident. Mr Howes was aware of the drug and alcohol issues within the local area, and particularly the prevalence of establishments who serve alcohol for consumption off-premises, but confirmed that it would not be the intention of the Licence Holder to operate in this way.

Mr Karaz also informed Members that he was a Member of the Executive Committee of the Greek Orthodox Church an experienced Licence Holder. Members heard that the main purpose of the application was to allow for approximately double the functions currently held, to support the local community and generate more income for the Church. Mr Karaz hoped to attract more weddings, in particular on Saturdays in the summer. The committee were informed the Executive Committee receive requests to use the hall for Christenings during the day and they would like to be able to sell alcohol at such events. The Hall also hosts other events such as charity events and birthday parties where alcohol is not required. If an event wishes to sell alcohol during the day, the Executive Committee must apply for a Temporary Event Notice (TEN); the purpose behind the application was to apply for an extended licence so that they did not have to keep making applications for TENs.

The committee were informed there was not a similar size hall in the local area and that this was an asset that could be well used by the wider community, not just the Greek community and if it were to have longer hours to provide licensable activities, it could provide a wide range of events to the public.

Members queried as to whether draught or bottled beer was available to visitors, and were informed that only 330ml bottles were sold with no intention to sell draught beer. Members also heard that there were 6/8 car parking spaces on the premises, and that beyond that, visitors were able to use the on-street parking available on the surrounding streets. It was also confirmed that there was a dance floor on the premises and that the venue does have live music usually limited to two people with dancing was hosted on occasionally.

The following members of the public were in attendance:

- Zanib Arif
- Mohammed Aziz
- Anwar Aziz
- Keith Withall
- Adeel Ahmed
- Tariq Hussain
- Ishtiaq Ali
- Lamfia Akim Kamara
- Shahid Hussain
- Adil Jeraal

Mr Kamara addressed the Sub-Committee on behalf of the objectors. Members heard how the local residents welcomed the Greek Community and their cultural events, however they simply objected to the hours of licensable activities applied for within the application. Members heard that this was due to the crowds of people leaving the premises who had been drinking alcohol, and the noise pollution this caused. This was said to have vast impact on residents with families in the local area, with reports of some children being unable to attend school because of the noise in the evenings. Mr Kamara informed Members that the local residents would be supportive of opening hours between 12noon and 11pm, rather than the applied for closing time of 1am. The local residents views were that a late licence after 23:00 would negatively impact on children in the area and people's ability to enjoy a quiet family life.

Mr Withall addressed to Sub-Committee and reported that although some previous events finished at 11pm, congregations of people remained until around 1am and his main concern related to the dispersal of people after events had ended. Members were informed that noise pollution often includes sound from cars, and that there were issues with people adhering to the 20mph speed limit. Additionally, Members heard that the Greek Community appear to use the on-street parking on the residential streets as opposed to the on-street parking directly outside the Church. Mr Whitall also informed the Sub-Committee that he had complained to the Licence Holder on prior occasions. He felt that the Licence Holder did not take the views of the local community seriously, and that they had not been consulted with throughout the licence application process. Mr Withall made reference to the original licence application in 2015 when the The Greek Community Leeds had agreed to keep the local residents informed of late night events but had failed to do so.

In response, Mr Howe informed the Sub-Committee that the Executive Committee of the Greek Orthodox Church had only received complaints from Mr Whitall. Mr Howe also stated that difficulties for residents to use on-street parking, along with road users not adhering to speed limits, were not the responsibility of the Licence Holder. A member queried as to whether the windows on the premises were double glazed, and were informed that there were efforts in process, however some of the building was grade listed and included stained glass. Members were informed that regular checks are made to ensure that there was no noise to the outside of the property from the activities taking place inside. Mr Karaz also offered to install decibel equipment as a further measure. Members also heard that not all of the private

functions intended to take place would involve the sale of alcohol, for example, christenings, charity fundraisers and children's parties.

The Sub-Committee carefully considered the information submitted, both written and oral, and

RESOLVED –

- a) That the application be granted as applied for on Friday and Saturday evenings (12pm until 1am), along with New Years Eve, Bank Holiday Sundays and the annual Tsiknopempti 'Smokey Thursday'.
- b) That the licensable activities from Sunday to Thursday be limited to 12pm until 11pm.

7 Application to vary a premises licence held by Headingley Pavilion, Headingley Stadium, St Michaels Lane, Leeds, LS6 3BR

The Chief Officer, Elections and Regulatory submitted a report that set out an application to vary the premises held by Headingley North-South Stand Limited for Headingley Pavilion, Headingley Stadium, St Michaels Lane, Headingley, Leeds, LS6 3BR.

In summary, the application sought to:

- To add late night refreshment Monday to Saturday 23:00 until 02:00 hours;
- Relocate the bar areas on the first and third floors of the premises and the addition of a new bar in the private dining area on the third floor of the premises;
- The removal of all bar areas on the ground floor to facilitate kitchen and staff areas; and
- To remove and/or replace certain conditions of the operating schedule.

Members were informed at the outset of the hearing that the following variation had been withdrawn from the original application:

- To add entertainment similar to live music, recorded music or dance on Sundays 12:00 until 22:30 hours.

Representations had been received from 14 (the original papers stated 13, which was corrected during the hearing) members of the public, who were primarily concerned by the potential noise nuisance for residents and families in the area. There were no objectors present at the hearing.

The following were in attendance on behalf of the applicant:

- Susan Ward, Headingley Stadium
- John Hill, Headingley Stadium
- Howard Willis, Licence Holders Agent

Mr Willis addressed the Sub-Committee, providing Members with further detail of the changes to the facilities on each floor of the premises. Mr Willis also informed Members that overall capacity of the Pavilion has been reduced, and that there was no intention to install any form of speaker system to the external of the premises. In response to a query from a Member, Susan Ward confirmed that the premises were all double-glazed.

Mr Willis explained in respect of the application for late night refreshment, the intention is to serve only tea and coffee, no more no less, in the facilities highlighted. It will be used when they have rugby and cricket matches or private functions. Last year, the club had approximately 12 weddings and some corporate events but it is not a facility which will be used often late at night, especially with loud music. The current 2am licence the premises already has is used very occasionally and it is not the operator's intention to use it much moving forward.

On behalf of his client, Mr Willis explained they had worked with the community and were surprised about the level objection received to this application. The premises understood residents may have concerns about noise, however, Mr Willis explained that the functions held in the premises will be properly supervised and the anticipated type of clientele were not ones likely to cause a nuisance.

The Sub-Committee carefully considered the information submitted, both written and oral, and

RESOLVED – That the application be granted as applied for.