

Licensing Sub-Committee

Monday, 26th November, 2018

PRESENT: Councillor G Harper in the Chair

Councillors A Garthwaite and J Heselwood

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 formal late items of business, however, the Sub Committee was in receipt of the following:

Agenda Item 7 1066 Café Unit 3, 1 Hastings Court, Collingham, Wetherby, LS22 5AW. The applicant requested to submit copies of the letter she had sent to the objector, Mr Henry, which was agreed by all parties.
(Minute 23 refers)

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application for the grant of a premises licence for Pizza Express Unit 2 , Merrion Centre, Merrion Way, Leeds, LS2 8BB

This application was withdrawn from the agenda, prior to the hearing.

7 Application to vary a premises licence held by 1066 Café Unit 3, 1 Hastings Court, Collingham, Wetherby, LS22 5AW

The report of the Chief Officer Elections and Regulatory set out an application for 1066 Café Unit 3, 1 Hastings Court, Collingham, LS22 5AW.

In summary, the application was to extend the sale of alcohol, extend the opening hours and amend condition 22.

Members were advised that there had been no representations from responsible authorities.

Members heard that the application was before them as a representation had been received from a member of the public on the grounds of public nuisance and anti-social behaviour.

The following were in attendance:

Lisa Kathryn Hall – Applicant

Paul Stephen Joseph Henry – Member of the public

Mrs Hall addressed the Sub-Committee and provided Members with further evidence in support of her application, which included a copy of a letter she had sent to Mr Henry, in attempt to address certain points of concerns he had raised.

Members heard that she had owned her business since 2001, with 16 years deli and 10 years cafe experience. The intention was to provide the locality with a relaxed, casual dining environment. The Committee heard about Mrs Hall's contribution to the local community by providing food for the Christmas light switch on, supporting charities, school events and the local gala. Mrs Hall confirmed that the proposed change of hours was to allow local residents an after dinner drink, without the rush of needing to be out by 21:00. Members heard that Mrs Hall had received correspondence from West Yorkshire Police very late in the day enquiring as to whether the premises had CCTV, but not requesting it be installed, due to Mrs Hall's experience and longevity in the area.

Members noted the offers made by Mrs Hall including attaching felt under the chair legs to reduce noise disturbance so as to address some of the issues raised by Mr Henry.

Mr Henry addressed the Sub-Committee with concerns about the application. The residential property Mr Henry rents is located above the application site and there had been instances of noise disturbance; from the moving of furniture and voices coming from the unit, which could be heard from his living space. Further concerns were raised with smoke entering his residence, particularly in the summer months when he needed to keep his windows open in order to ventilate the flat. Mr Henry explained access to his property had been blocked on occasions before by bins and external seating from the premises.

Mrs Hall apologised to Mr Henry and was unaware of the bin being situated in the wrong place, explaining she believed it was a mix up. She explained her proposals are nothing much more than what she originally had permission for, with the intention to occasionally have bistro nights and reiterated that the application was to allow for these nights to be a relaxed environment and to enable patrons to finish their meals respectfully. Mrs Hall is willing to liaise with Mr Henry to address current and future concerns.

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

- Patrons would be encouraged to smoke round the back of the café.
- There is 1 table outside of the café, with 2 chairs and 1 table outside of the deli, with 4 chairs. Mrs Hall's intention wasn't to promote outside seating but an area for people to bring their dogs along to the café, whilst having a small bite to eat.
- Mrs Hall did not seek to open every day until 23:00 and Bistro nights would be once or twice per week
- The car park at the back of the café was typically busy. However, staff would move their vehicles to let people come and go.

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, with the amendment of condition 22 to read, ‘Patrons shall not be allowed to use external areas after 21:00 hours’.