

Licensing Sub-Committee

Tuesday, 8th January, 2019

PRESENT: Councillor M Harland in the Chair

Councillors Flynn 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 late items. However, at the start of the meeting Mr Coen asked to circulate a copy of the additional conditions agreed between the operator and West Yorkshire Police. With the agreement of all parties the document was circulated (Minute 6 refers).

5 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

6 Application to vary a premises licence held by Everybodys Social 91 - 97 Otley Road, Guiseley, Leeds, LS20 8PS

The report of the Chief Officer, Elections and Regulatory set out an application to vary the premises held by Everybody's Social, 91- 97 Otley Road, Guiseley, Leeds, LS20 8PS.

In summary, the application sought to extend opening for an additional hour for the exhibition of films, performance of recorded music, performance of dance, late night refreshment and the sale by retail of alcohol.

Representations had been received from West Yorkshire Police and three members of the public. However, West Yorkshire Police had withdrawn their representations following agreement of additional conditions to the licence.

The following were in attendance on behalf of the applicant:

- Adam Lewis, Director of Twisted Bars LTD and Designated Premises Supervisor
- James Garside, Premises Manager
- John Coen, Licence Holder's Agent

Mr Coen asked the Sub-Committee if they would accept distribution of the email thread containing the additional seven conditions to the licence agreed between the operator and West Yorkshire Police. The Sub-Committee accepted the document, and adjourned the meeting for 5 minutes to consider the information.

Mr Coen addressed the Sub-Committee, outlining the current licensed activities at the premises and particularly the focus on dining, attributing around 40% of the takings to the sale of food. Mr Coen also informed the Sub-Committee that the age profile for customers was between 30 and 50 years old before 11pm, and between 20 and 40 years old from 11pm until close. Members heard that there had not been any formal complaints to Ward Members or Environmental Health, and that West Yorkshire Police no longer held concerns about the additional hour applied for, following the agreement of the additional conditions to the licence. Mr Coen also suggested that The Potting Shed, located a short distance from the premises on Oxford Road, should have been included on the list of nearby licensed premises at Appendix F. The Sub-Committee heard that The Potting Shed held a licence for the sale of alcohol until 1am, with other licensable activities permitted until 1:30am.

Mr and Mrs Hawkins, and Mr Clayforth, were in attendance as objectors to the application and addressed the Sub-Committee. Members heard that the concern of local residents was mostly due to the noise associated with customers gathering outside the premises, and the constant flow of taxis and other vehicles collecting and dispersing customers. The objectors also noted the frequent litter, often including broken glass, around the premises which they felt the operator did not take responsibility for, leaving it to them to clear up instead. The objectors felt that the operators were not responding to the issues already occurring, and therefore that an extension of hours would contribute to their regular disturbance.

Members queried who the local residents had complained to, and were informed by the objectors that their complaint was submitted to a member of staff, who had provided assurance that their complaint would be passed to the manager. The manager was not aware of the complaint.

Members also queried the drinking outside of the property after 11pm in the evening, and without door staff, clarity as to who currently supervised this area. Mr Coen informed the Sub-Committee that although it could not be confirmed that all alcohol consumed outside of the property was not served from the premises, they believed that when other premises in the area close, customers would travel to Everybody's Social and bring their drinks with them. It was also established that it was currently the personal responsibility of the manager to supervise the outside area. Members heard that some of the conditions agreed with West Yorkshire Police sought to address this issue, by prohibiting entry for new patrons to the premises after 1am and installing CCTV to the outside of the premises. In response to the concerns around the constant flow of taxis, Mr Coen suggested that the operator speak to local taxi companies to encourage drivers to use the supermarket carpark as a pick up / drop off point, rather than the layby close to residential housing. Mr Coen also wished to explain that the broken glass seen outside the premises and residents houses did not come from the premises.

The Sub-Committee noted that condition 15 to the current licence stated that the premises is permitted to undertake licensable activities (except for the provision of live music) for an additional hour on the Saturday and Sunday preceding a bank holiday Monday. The applicant was asked if they would wish for this condition to be upheld if the application was granted, to which the operator informed the Sub-Committee that they would not.

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 on Friday and Saturday evenings, but refused for the working week and Sunday evenings, with the following amendments to the licence:

- a) That condition 15 be removed from the licence.
- b) That the conditions agreed between the operator and West Yorkshire Police be added to the licence.