

Licensing Sub-Committee

Tuesday, 21st January, 2020

PRESENT: Councillor A Hutchison in the Chair

Councillors B Flynn and J Lennox

1 Election of the Chair

RESOLVED – That Councillor A Hutchison be elected as Chair for the Hearings.

2 Late Items

There were no late items.

Supplementary information was submitted with regard to Agenda Item 10.
Application for the grant of a Premises Licence at Ghetto Golf, Falcon House, Walter Street, Burley, Leeds.

3 Declarations of Disclosable Pecuniary Interests

There were no declarations.

4 Application to renew sex establishment licence and amendment of standard condition for Pulse and cocktails, 3A Armley Road, Leeds

The report of the Chief Officer Elections and Regulatory presented an application to renew a sex establishment licence for a sex shop, Pulse and Cocktails, 3A Armley Road, Leeds.

Due to a change in Data Protection legislation there was a requirement to amend a condition to the license with regards to employee information.

There had not been any objections to the application.

RESOLVED – That the application be granted as applied for.

5 Application to renew sex establishment licence and amendment of standard condition for Simply Pleasure, 6-6A Briggate, Leeds

The report of the Chief Officer Elections and Regulatory presented an application to renew a sex establishment licence for a sex shop, Simply Pleasure, 6-6A Briggate, Leeds.

Due to a change in Data Protection legislation there was a requirement to amend a condition to the license with regards to employee information.

There had not been any objections to the application.

RESOLVED – That the application be granted as applied for.

6 Application to vary a premises licence held by Back Room Bars Ltd for The Back Room 50A, Call Lane, Leeds, LS1 6DT

The report of the Chief Officer, Elections and Regulatory presented an application to vary a Premises Licence held by The Back Room, 50A Call Lane, Leeds, LS1 6DT.

The applicant had applied to extend the licensable hours from 04:00 to 06:00 on Sundays to Thursday which were the same hours as operated on Friday and Saturday.

The application had received a representation from West Yorkshire Police which had been withdrawn following agreement regarding measures to prevent crime and disorder.

The application had also received a representation from a local Ward Councillor and a local resident.

The premises fell within the Cumulative Impact Area although the times applied for fell outside peak times for crime and disorder.

The following were in attendance:

- Mr J Hancock – Back Room Bars
- Mr D Hopcroft – Director, Back Room Bars
- Ms C Herber – General Manager – Back Room Bar
- Councillor P Wray – Local Ward Councillor

The applicant's representative addressed the sub-committee. The following was highlighted:

- The DPS was also the Chair of Leeds City Pubwatch and Vice Chair of BACIL.
- The premises had operated until 06:00 on Friday and Saturday since May 2013 and also on over forty other occasions till 06:00 without any complaints being received.
- A dispersal policy was in operation and overlooked by trained and experienced staff who were committed to reducing crime and disorder in the area.
- The premises was a popular destination for other hospitality workers.
- It wasn't expected to open till 06:00 every day but this would give the flexibility to keep the premises open when required.

A local Ward Councillor addressed the sub-committee with concerns and objections to the application. These included the following:

- There was a need to balance the needs for residents in the area. Although historically it was a predominantly commercial area, there were now a large number of residents nearby.
- Having late opening hours on Sunday to Thursday was moving into the normal week and this would cause disruption for residents and commuters.
- Ward Councillors received complaints regarding noise nuisance after the peak times.

- Concern that other premises in the Cumulative Impact Area will apply for extended hours if this application was granted.
- An increase in hours would be unreasonable to residents and the police.
- Extended hours on bank holidays and seasonal periods would not be so detrimental. The main concerns were potential for disruption during the working week.

In response to the concerns and objections, the applicant's representative reported that there were other premises within the area that had opening hours after 04:00 on Sunday to Thursday, two of these being within 50 metres. There was no intention to use the hours every day and it was to enable the operator to be flexible and not have to apply for Temporary Event Notices. It was felt that later opening would also help with the dispersal of customers and would reduce the risk of public nuisance.

In response to questions from the sub-committee, the following was discussed:

- The local Ward Councillor has had discussions with the police and environmental protection officers regarding concerns. These concerns included reports of people urinating in doorways and noise disturbance. There were approximately six hundred residents living within close proximity to the premises.
- The applicant reported that the premises had a different trade pattern to others and later on the custom was mainly hospitality workers from other premises who had just finished work and would not be intoxicated.
- Approximately 10 Temporary Event Notices had been used at the premises in the past year to allow for later opening.
- The applicant monitored noise outside the premises. There was more noise generated by traffic and trains than from the premises.
- It was anticipated that the additional hours applied for would mainly be used on Thursday nights should the application be granted.

The sub-committee adjourned to consider the report of the Chief Officer, Elections and Regulatory; the representations submitted and presented at the hearing along with the Statement of Licensing Policy.

RESOLVED – That the application be granted as applied for.

7 Application to vary a premises licence held by 147 Sports Bar, 7 Chapeltown, Pudsey, LS28 7RZ

The report of the Chief Officer, Elections and Regulatory presented an application to vary a Premises License at 147 Sports Bar, 7 Chapeltown, Pudsey.

The application was to extend the area within the building for licensable activities to include the ground floor which would become known as The Ballroom. The first floor was currently the only licensed area and there was no proposal for additional licensable activities or extension to hours.

The application had received representations from West Yorkshire Police and a local resident. The representation from West Yorkshire Police had been withdrawn following agreement with the applicant with regard to suggested measures.

The following were in attendance for this hearing:

- Mrs S Hood, 147 Sports Club
- Miss C Hood, 147 Sports Club

The applicant addressed the sub-committee. The following was highlighted:

- The premises had formerly been a Conservative Club and had been in use since the 1890s.
- The applicant had taken over the ground floor of the premises which had previously been used by another operator.
- There had been some issues with the previous operator due to loud music and customers smoking outside the building.
- There was a formal smoking area to the rear of the property which was overlooked by one residential property. Glasses would not be allowed outside after 9.00 p.m.
- The applicant had renovated the ground floor of the building and had fitted double glazing and blinds to protect privacy.
- The 147 Sports Bar was a member's only club.
- The applicant had taken over the ground floor of the building for use as a function space. This would be used for funeral teas and a monthly music event.
- The applicant had operated from the upstairs of the building for over 8 years without any complaints with regards to noise and disturbance. There had not been any visits from any of the responsible authorities.

In response to questions from the sub-committee, the following was discussed:

- Members could sign in one non-member. When events were held all guests details were kept in the guest book.
- The applicant had decided to expand their operation in the building as the existing business was not as busy as it previously had been and to provide an affordable function room.
- There had been complaints from residents prior to the opening of the 147 Sports Bar. These had been resolved as there was generally some confusion over the style of operation.
- There was access between the two floors within the premises but the ground floor would only be open to those who were attending pre-booked functions.
- The ground floor had previously been used a bar and restaurant.

The sub-committee adjourned to consider the report of the Chief Officer, Elections and Regulatory; the representations submitted and presented at the hearing along with the Statement of Licensing Policy.

The applicant was advised that they may wish to address any outstanding concerns that had been raised by local residents.

RESOLVED – That the application be granted as applied for.

8 Application for the grant of a premises licence for Ghetto Golf Falcon House, Walter Street, Burley, Leeds, LS4 2BB

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a Premises Licence for Ghetto Golf, Falcon House, Walter Street, Burley, Leeds.

Prior to the hearing, a short video presentation was made which showed the style of operation at other Ghetto Golf venues. Further documentation was submitted by objectors which confirmed certification of the neighbouring premises as a place of worship.

The application was for the following:

- Exhibition of films, performance of recorded music, performance of live music, performance of dance, entertainment of a similar description and sale by retail of alcohol:

Everyday 10:00 to 01:00

- Late Night Refreshment

Everyday 23:00 to 01:00

- Non standard timings
Performance of recorded music & dance, entertainment of a similar description & sale by retail of alcohol:

From 10:00 on New Years Eve to 01:00 on 1st January

- Late Night Refreshment

From 23:00 on New Years Eve to 06:00 on 1st January

There had not been any representations from the responsible authorities and there had been 35 independent letters of objection primarily from members of the Redeemed Christian Church of God.

The following were in attendance:

- Mr C Morgan, Ghetto Golf
- Mr A Green, Ghetto Golf
- Mr R Taylor, Ghetto Golf
- Mr S Obafaiye, Objector
- Mr J Odaudo, Objector
- Ms C Ohia, Objector
- Ms C Ndlovu, Objector
- Mr Y Olufade, Objector
- Ms C Dziraki, Objector
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The applicant's representative addressed the sub-committee. The following was highlighted:

- Alcohol sales would be for on the premises only.
- The premises would be used as an indoor 18 hole adventure golf course. The concept combined golf, music and food. The interior would be focused on street art and local street artists would be invited to contribute.
- The company had similar operations in Newcastle, Liverpool and Birmingham.
- The set designs were based on film and TV.
- The applicant had met with West Yorkshire Police and the Licensing Authority to discuss the style of operation and any conditions that would be expected for the licence.
- There were conditions for CCTV at the premises and Challenge 25 would be in operation. The venue would be adults only.
- All drinks would be served in polycarbonate/plastic glasses.
- Following a risk assessment it was anticipated that door supervisors would be present on a Friday and Saturday night.
- The customer profile would cover a wide range and the other venues catered for parties, companies, corporate and charity events.
- The set out of the premises was aimed at over 18s with a tongue in cheek style adult humour.
- The operators were good neighbours and had not encountered problems at any of their other premises. This was reflected by the lack of representation from the responsible authorities.
- The premises were situated in a light industrial area and there were no nearby residential properties. The objections submitted had been co-ordinated and without evidence. The supplementary information submitted by objectors was a journalist's take. There had been mistakes made in the past when the company was in its early stages but following that a Chief Executive was brought in to bring a corporate structure.
- There would be significant investment in the Leeds premises and 60 jobs would be created. Should the licence be granted it was hoped to be open by October 2020.

Objectors to the application addressed the sub-committee. The following was highlighted:

- The Council had given permission to the Redeemed Christian Church of God to use the premises. The objections were due to the entrances being beside each other.
- Over 80 children under the age of 16 attended the church and it was not wanted for them to see what happened at the premises.
- There would not have been an objection if the application was for elsewhere.
- The applicant had discussed the application with the responsible authorities but not with objectors.
- Regard should be given to the fact that the neighbouring premises were a recognised place of worship.
- The application should not be granted near to a church or a school.
- There would be potential harm to children and vulnerable adults.

- There was potential for a rise in crime and there were concerns about drunk behaviour.
- Concern that sexual paraphernalia would be on display.
- There were several vacant properties elsewhere in Leeds that could be used.
- The church wanted to operate a nursery and day centre. Those plans would not be achieved if this application was granted.
- A business like this should not be situated near where children would be.

In response to objections and in summary to the application, the applicants representative highlighted the following:

- There would not be anything other than basic signage on display outside the building and it would not be possible to look in through the windows.
- The decision on whether the application should be granted should be based on evidence and not what might happen.
- Ghetto Golf was an established company and operated elsewhere without any difficulties.
- There was a long list of conditions within the application to satisfy the requirements of the responsible authorities.
- There was no evidence to support the concerns of what was detailed in the objections.

In response to questions from the sub-committee, the following was discussed:

- Customers could book into Ghetto Gold online, by telephone or in person.
- Friday and Saturdays tended to be the busier times with a maximum of 70 people on the course and 100 in the bar and having food.
- There would not be any artwork on the external areas of the building. Windows would be blacked out so nobody could view in.
- The entrance area would always be staffed by door staff or reception and cloakroom staff.
- Other premises operated by Ghetto Golf were outside city centres.
- The premises were within a £5 taxi fare of the city centre. There would be car parking available and customers were expected to drive as well as use public transport.
- Further to concerns regarding sex themed holes on the golf course, it was reported that the company had a large catalogue of different styles to be used. Feedback was taken from customers to meet their requirements.
- The building was currently empty and had been purchased by the applicant.
- There would be no admittance to anyone under the age of 18.
- The building would have soundproofing installed.
- The church was open from 09:00 until an evening on Sunday and was attended by 250 people including 80 children. It was also open on Wednesday evening and on a Friday night. There were also activities held on a Saturday.

The sub-committee adjourned to consider the report of the Chief Officer, Elections and Regulatory; the representations submitted and presented at the hearing along with the Statement of Licensing Policy.

RESOLVED – That the application be granted as applied for.

9 Application for the grant of a premises licence for Rawdon Moustache 7-9 Harrogate Road, Rawdon, Leeds, LS19 7BP

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a premises licence at Rawdon Moustache, 7-9 Harrogate Road, Rawdon Leeds.

The application was for the following:

- Recorded music and sale of alcohol:
Sunday to Thursday 14:00 to 22:00
Friday and Saturday 13:00 to 23:00

The following were in attendance:

- Mr C Churm – Rawdon Moustache
- Mr G Holmes – Rawdon Moustache
- Mr M McConaghy – Local resident

The applicants addressed the sub-committee. The following was highlighted:

- There would not be any amplified music or sports on TV. Only background music.
- There would be no music or bottles and glasses to be taken outside.
- The kitchen would be to the rear of the premises. Extraction equipment would be installed.
- Main business would be provision of Sunday dinners between 12:00 and 14:00 when it was hoped to provide about 40 meals. It was anticipated that there would be the provision of 6 covers and hour during the day.
- Works on the premises would not commence without the grant of a licence and would cost around £20,000.
- The premises were currently empty and were located in the middle of a shopping parade.
- There were no objections from West Yorkshire Police or Environmental Health.
- The applicant understood the concerns of local residents and there would be no music or seating outside. All operations were internal to the building.
- Only locally sourced produce would be used.

A local resident addressed the sub-committee with concerns and objections to the application. These included the following:

- Local residents were concerned about potential for noise disturbance and wanted to protect the character of the area.
- Other businesses in the area closed earlier in the day and did not open on Sundays.
- Other licensed premises had restricted hours and conditions that sale of alcohol was ancillary to food.

- Reference to another licensed premises in the area that had a later licence. These were smaller premises and did not affect residential properties.
- Concern that there were residential properties on the upper floors of the shopping parade and this would cause disturbance for residents.
- The premises were located in a quiet residential area.
- Details of other applications in the area that had been refused.
- Concern that if this was granted that there may be a future change of use to a public house.

In summary, the applicant reported that the hours applied for were reasonable and that there would not be any noise pollution from the premises.

In response to questions from the sub-committee, the following was discussed:

- The premises had previously been used as a bank and a copy shop and had been vacant for 5 months.
- The applicant had previously had an application refused elsewhere in the area.
- Local residents would be happy to for the premises to have a license for a food led premises that opened until 20:00.
- There would be a maximum of 9 tables in the premises.
- There would not be any outside seating areas.
- The applicant would consider having a condition that sales of alcohol were ancillary to sales of food.

Following an adjournment, the hearing was reconvened. Further discussion was held regarding proposed hours for licensable activities and possible conditions that could be attached to any license.

The sub-committee adjourned to consider the report of the Chief Officer, Elections and Regulatory; the representations submitted and presented at the hearing along with the Statement of Licensing Policy.

RESOLVED – That the application be granted as follows:

Sale of alcohol (to accompany sale of food):

Sunday to Thursday: 14:00 to 22:00
Friday and Saturday: 13:00 to 22:00

Opening times

Sunday to Thursday: 14:00 to 22:30
Friday and Saturday: 13:00 to 22:30