

## Licensing Sub-Committee

Monday, 28th May, 2012

**PRESENT:** Councillor G Wilkinson in the Chair

Councillors A Khan and C Townsley

**1 Election of the Chair**

**RESOLVED** – That Councillor Wilkinson be elected Chair for the meeting

**2 Declarations of Interest**

No formal declarations of interest were made, although it was noted that Councillor Khan stated that he had previously been a member of the Co-operative Society ( minute 3 refers)

**3 "Co-op" (Spen Lane) - Application for the variation of a premises licence for Co-op, 433 Spen Lane, West Park, Leeds LS16 6JE**

The Sub-Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy considered an application to vary the premises licence currently held at the Co-op premises, 433 Spen Lane, West Park, Leeds LS16. The Sub Committee was aware that this application had been adjourned from a hearing on 16<sup>th</sup> April 2012 to provide time for the parties to negotiate.

Representations had been received from LCC Environment Protection Team setting out proposed measures to promote the prevention of public nuisance licensing objective. These had been agreed prior to the hearing. Furthermore, the Sub Committee was made aware of a request to amend the hours requested for the sale of alcohol (off-sales) to 07:00 hours until 23:00 hours (rather than 06:00 hours start time as applied for). One representation had also been received from a local resident on behalf of his neighbours. The local resident did not attend the hearing and the Sub Committee resolved to proceed in his absence and take his written submission into consideration.

Present at the hearing were:

Mr R Arnott – solicitor for the applicant      Mrs G Marshall - observing  
Mr P Whitehead – Deputy Manager,      Councillor N Buckley - observing  
Co-op

The Sub-Committee heard from Mr Arnott on behalf of the applicant who responded to the main themes of the objectors submission relating to noise and nuisance; necessity; the activities of people dependant on alcohol and hours of delivery. He referred to the amendments made to the requested hours for the sale of alcohol and for alcohol delivery, and was hopeful that these would address the objectors' concerns. Mr Arnott also reported that the applicant had contacted the objector but had received no response.

The Sub-Committee carefully considered both the written and verbal representations from the applicant's legal representative and the written submission made by the objector. Members also had regard to the amendment made to the application and the agreements reached between the applicant and LCC EPT

The Sub Committee felt that the extra hour requested for the sale of alcohol, between 07:00 and 08:00 hours would not add the incidents of anti social behaviour experienced in the area, as described by the objector. Members felt the main objection was to the deliveries which currently commenced at 05:30 hours. Members felt that this could be addressed through the condition agreed with LCC EPT which restricted alcohol deliveries to 07:00 until 20:00 hours. The Sub Committee therefore

**RESOLVED** – To grant the application, as amended. The measures proposed by LCC EPT and agreed with the applicant shall now be added to the Premises Licence as conditions

#### **4 "Co-op (various) " - Applications for the variation of various premises licence for Co-op stores**

Several applications had been included within the agenda for the meeting, however had been withdrawn from the agenda prior to the meeting as the applicants and all interested parties had reached agreements on measures suggested in order to promote the licensing objectives of the city. The Premise Licences will therefore be issued by the Licensing Officer in accordance with the agreed conditions for the following stores:

- a) Co-op, 425 Otley Road, Leeds LS16 6AL
- b) Co-op, 206 Butcher Hill, West Park, Leeds LS16 5BG
- c) Co-op, 60 High Street, Kippax, Leeds LS25 7AJ
- d) Co-op Village Store, 44A-44B Selby Road, Osmondthorpe, Leeds LS9 0HJ
- e) Co-op Woodlesford Village Store, 103-107 Aberford road, Oulton, Leeds LS26 8LQ
- f) Co-op Late Shop, Ground Floor, Oakwood Lane, Roundhay, Leeds LS8 3LE
- g) Co-op Village Store, 52 Street Lane, Roundhay, Leeds SL8 2ET
- h) Co-op Village Store, 49 Town Street, Beeston Leeds LS11 8PN