

## **Licensing Sub-Committee**

**Monday, 30th July, 2012**

**PRESENT:** Councillor Townsley in the Chair

Councillors P Latty and B Selby

### **53 Election of the Chair**

**RESOLVED** – That Councillor Townsley be elected Chair for the duration of the meeting.

### **54 Late Items**

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda, an application for a temporary event notice in respect of Trax, 148 Chapeltown Road, Chapeltown, Leeds, LS7 4EE. (Minute No. 20 refers)

The Chair also agreed to consider additional information submitted by the applicant in support of the Rani Superstore application. (Minute No. 19 refers)

### **55 Declarations of Disclosable Pecuniary and Other Interests**

There were no declarations of disclosable pecuniary and other interests.

### **56 "Rani Superstore" - Application to vary a premises licence for Rani Superstore, 82 Osmondthorpe Lane, Osmondthorpe, Leeds LS9 9EF**

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 a premises licence for Rani Superstore, 82 Osmondthorpe Lane, Osmondthorpe, Leeds, LS9 9EF.

A representation had been submitted by West Yorkshire Police (WYP), however the measures proposed had been agreed by the applicant and the representation subsequently withdrawn.

A representation had also been submitted by LCC Environmental Protection Team, on the grounds that the application would undermine the prevention of public nuisance licensing objectives.

In addition, a letter of support had been submitted by the three Burmantofts and Richmond Hill Ward Members.

The hearing was attended by the following:

- Inayat Ali Shah, Designated Premises Supervisor
- Kulumant Chana, Applicant's representative
- Brian Kenny, Environmental Protection Team.

Kulumant Chana addressed the Sub-Committee and made the following points:

- There was a demand in the area for extended opening hours.
- The applicant was responding to the development of larger supermarkets in the area.
- The applicant had been trading at the premises for 15 years and offered a unique range of services.
- There had been no previous incidents at the premises.
- The applicant had responded to police concerns and conditions had been agreed.
- Environmental Protection Team's concerns were perceived to be exaggerated.
- There was a petition of support for the premises containing the names of 500 individuals.
- Service after 2300 hours would be through a secure serving hatch.
- Parking provision was available on site.
- Additional security was being installed at the premises.
- Granting the application would result in the creation of 2 full time positions.

Questions were then invited and the following points were raised:

- Clarification was sought regarding planning permission for change of use. The applicant acknowledged that there was a need for them to confirm details with their legal representative.
- Confirmation that additional CCTV and lighting was being installed at the premises.

Brian Kenny addressed the Sub-Committee and made the following points:

- Concern that approval of extended hours would attract a greater number of motorists which would generate noise and disturbance to local residents.
- Concern that the premises could become the focal point for anti-social behaviour.
- Concern that approval of the application would set a dangerous precedent.

The Sub Committee then carefully considered all the written and verbal submissions and made the following decision:

**RESOLVED** – That the application, as amended (Friday 0600 hours – Sunday 0100 hours), be granted.

**57 LATE ITEM - Application for a Temporary Event Notice, Trax, 148 Chapeltown Road, Leeds, LS7 4EE**

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 a temporary event notice for Trax, 148 Chapeltown Road, Chapeltown, Leeds, LS7 4EE.

A representation had also been submitted by LCC Environmental Protection Team, on the grounds that the application would undermine the prevention of public nuisance licensing objectives.

The hearing was attended by the following:

- Mr Ferguson, Manager and owner of the premises
- Gurdip Mudhar, Environmental Protection Team.

Gurdip Mudhar addressed the Sub-Committee and made the following points:

- Concern about the possibility of noise disturbance to local residents.
- Confirmation that 2 previous complaints had been received about the premises – one on jubilee day and one on a bank holiday.

Mr Ferguson addressed the Sub-Committee and made the following points:

- Door signs were to be prominently displayed asking patrons to leave the premises quietly.
- Confirmation that door staff were employed at the premises to restrict noise disturbance.
- Concern that the Environmental Protection Team representation had been submitted on the basis of potential noise and not actual noise.

The Sub Committee then carefully considered all the written and verbal submissions and made the following decision:

**RESOLVED** – That the temporary event notice be granted as requested.

(The meeting concluded at 11.40am.)