

## **Licensing Sub-Committee**

**Monday, 8th October, 2012**

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

Councillors P Latty and C Townsley

### **69 Election of the Chair**

**RESOLVED-** That Councillor G Wilkinson be elected Chair for the duration of the meeting.

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

There were no disclosable pecuniary and other interests declared at the meeting.

### **71 "Spring Close" - Application to vary a premises licence for Spring Close, 3A Spring Close Street, Leeds LS9 8RT**

(This application was withdrawn following agreement reached with all parties prior to the hearing)

### **72 "Munch Box" - Application for the grant of a premises licence for Munch Box, 7A Crown Street, Leeds LS2 7DA**

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 for the grant of a premises licence for Munch Box, 7A Crown Street, Leeds LS2 7DA.

Representations had been submitted by West Yorkshire Police and Leeds City Council, Environmental Protection Team.

West Yorkshire Police objected on the grounds of the Cumulative Impact policy of the area concerned and under the prevention of crime and disorder and the prevention of public nuisance objectives.

Leeds City Council, Environmental Protection Team objected on the grounds that the premises were in a Cumulative Impact Area and would undermine the prevention of public nuisance licensing objectives.

The hearing was attended by the following:-

- Mr Asad Al-Hariri, Applicant
- Mr Hopkins, Applicant's Solicitor
- PC Arkle, West Yorkshire Police
- Mr Brian Kenny, Environmental Protection Team

Mr Hopkins, addressed the Sub-Committee and, in summary, made the following points:-

- Confirmation that the premises was a fast food take away
- That the applicant had 30 years experience in the fast food trade
- The relationship between the Applicant and the Job Centre Sponsorship Programme
- That the application would meet customer demand in the area
- That no alcohol would be consumed on the premises
- The intention to re: position the CCTV cameras at the premises
- The intention to employ door staff at the premises Thursday to Saturday and Sunday's of bank holiday weekends
- That the location of the premises would not cause a public nuisance to a number of residential flats in the nearby Crown Street Buildings in view of the distance between the buildings

In concluding his submission, Mr Hopkins informed the meeting that, at the request of applicant, he had discussions with the West Yorkshire Police representative outside the meeting to agree the following additional suggested measures outlined in the Licensing Act 2003 Proforma Risk Assessment V6 document:-

6PF code numbers relating to 004; 006; 010; 018; 019; 020; 021;022; 023;024;029;079;082 and 084.

The Legal Adviser responded and acknowledged receipt of the additional measures.

Questions were then invited and the following points were raised:-

- Clarification of the number of staff serving at any one time at the premises
- Clarification of the average number of customers waiting in the premises for food

PC Arckle, West Yorkshire Police addressed the Sub-Committee and, in summary, made the following points:-

- That the application was in a Cumulative Impact Policy area
- That there had been no record of incidents occurring at the premises
- That as outlined in the Problem Profile document, violent crime had not declined in this area
- That this was a crime hotspot area where offences peaked during the time the applicant was seeking to open the premises
- The need for the police to see the night radio conditions being imposed in relation to the radio being switched on during opening hours and in good working order

Questions were then invited and the following points were raised:-

- The need for the Police to be fully involved in discussions with the applicant in relation to re-siting and re-locating the CCTV cameras at the premises
- To welcome the fact that the applicant had put forward additional conditions/measures and had addressed the policy in great detail

- The concerns expressed that the application was within the Cumulative Impact Policy area
- To acknowledge that there had been no record of incidents occurring at the premises
- Clarification of the Job Centre Sponsorship Programme and the SIA registration
- Clarification of the differences in serving hot or cold food and whether or not it would cause a problem

Mr Brian Kenny, Environmental Protection Team addressed the Sub-Committee, and in summary, made the following points:-

- The application premises was situated within a Cumulative Impact Policy area
- The application may increase the number of late night revellers in the area which contains a number of residential flats in the nearby Crown Street Buildings
- The closing time of 04:00 hours Monday to Saturday would cause more problems regarding noise and would add to the Cumulative Impact

Questions were then invited and clarification was sought if there had been any complaints of noise registered during the week.

Mr Kenny responded and informed the meeting that he had no information to hand on this issue

Mr Hoskins, addressed the Sub-Committee and, summarised the application.

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

**RESOLVED-** That in view of the applicant having demonstrated that this application would not add to the Cumulative Impact Policy, this application be granted subject to the following conditions:-

- That the siting of the CCTV cameras at the premises were to be agreed with West Yorkshire Police and the location of them not to be amended without the prior approval of West Yorkshire Police (this condition to be complied with within four weeks of the date of the decision letter)
- That the minimum of door supervisors for the premises be two and that they be employed everyday from 23:00 hours until 15 minutes after closing
- That the conditions proposed and agreed at the meeting and those imposed by the Licensing Sub-Committee be incorporated into the operating schedule

(The meeting concluded at 11.05am)