

## Licensing Sub-Committee

Tuesday, 31st May, 2016

**PRESENT:** Councillor J Dunn in the Chair

Councillors N Buckley and G Hussain

**1 Election of the Chair**

Councillor Dunn was elected Chair for the duration of the meeting.

**2 Appeals Against Refusal of Inspection of Documents**

There were no appeals against refusal of inspections of documents.

**3 Exempt information - Possible exclusion of the press and public**

There were no exempt items.

**4 Late Items**

There were no late items.

**5 Declarations of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

**6 Application for the grant of a premises licence for Potraviny 9 Town Street, Armley, Leeds, LS12 1UG**

This was an application for the grant of a premises licence, made by Mr Adnan Ali Ahmad, for Potraviny 9 Town Street, Armley, Leeds, LS12 1UG.

The Licensing Sub Committee had noted prior to the meeting that this area was not covered by a Cumulative Impact Policy (CIP). However, they also noted that there was a proposal to have the area covered by CIP and that the proposal was due to come before full Council in the near future.

The applicant was applying for sale of alcohol for consumption off the premises, every day between 08:00 – 22:00.

The application had attracted a number of representations from other people namely local councillors, local MP and local residents. All opposed the application on grounds of public nuisance and crime and disorder.

The applicant attended the hearing with his agent June Clarke who spoke on his behalf.

Ms Clarke informed the Sub Committee that her client was a family man who lived in Leicester with his wife who was a teacher.

She informed the Members that if approval was to be granted her client and his family would be moving into the area. He would also be looking to open a nursery at which his wife would work. Given this work load Ms Clarke said her client was happy to drop the opening times from 08:00 - 22:00 to 08:00 - 20:00.

Ms Clarke informed the Members that she had looked at a report which collated the findings of a survey undertaken in the Armley area. She said the report stated the following:

- 2 groups of people were the cause of the issues relating to drunkenness and anti-social behaviour
- One group were Eastern Europeans who when confronted were quiet and gave up their alcohol without any problems arising
- One group were white British males who when drunk caused crimes and disorder.
- There was a core group of 6 individuals who had received injunctions against them for anti-social behaviour.

Ms Clarke said her client would comply with all the conditions set out in the operation schedule which the Police with happy with including:

- Installation of CCTV
- Challenge 25
- Licensing Compliance books which included incident book, id verification and staff training.

The Chair spoke to Ms Clarke informing her that the survey and the report were to be considered at full Council in determination of the CIP for the Armley area. He was not of the view that the survey and the report were relevant as part of the applicants submission at the hearing.

Ms Clarke in response was of the view that the survey and report were relevant as the MP for the area had used the information as part of her objection for the premises licence.

Ms Clarke said that her client could not be held responsible for the behaviour of individuals when they leave his premises. According to the Licensing Act his responsibility stopped when they left the vicinity of his shop.

Ms Clarke informed the Members that her client had been in business for seven weeks and was of the view that a premises licence would help to support and sustain his small business.

She said that he would not sell single cans of alcohol only packs of which and that he would stock only beers etc. below 6% alcohol.

Cllr. Lowe the local ward councillor attended the hearing and informed the Members that the nature of the town centre is changing, that there is not the variety of shops that had been on Armley Town Street. She informed the Sub Committee that the CO-OP had recently closed as people were too afraid to go there.

She informed them that a local group Armley Helping Hands used to run a shopping bus to the town centre but had recently changed the location to Middleton as people became frightened to use the shops in Armley.

Cllr. Lowe informed the Sub Committee that Potraviny is situated between the Copper Lamp Café and the Post Office.

As a result of the impact of street drinkers in the area, Cllr. Lowe informed the Sub Committee of the following:

- Fears that the Post Office may close if the area continued to see drunks on the street
- Residents spoke of wanting a mixture of shops in the area
- Incidents of racial attacks on store owners
- The number of off licences in the area put pressure on the community
- Residents frightened to use shops and bus stops on Town Street
- Banks have closed
- The Co-Op has now closed and rescinded its licence.
- Detrimental impact of street drinkers on businesses and residents

Cllr. Lowe informed the Members that the CIP for Armley had been approved at Licensing Committee and was due to go to full Council next month for consideration.

Ms Clarke on summing up informed the Members that her client had not seen any drunks during his time at the new business.

She highlighted the fact that no responsible authorities had sent representation to the hearing. The Police were satisfied with the conditions set out in the operating schedule.

**RESOLVED** – That the Licensing Sub Committee carefully considered all the information before them noting extra conditions suggested by the applicant and the reduced hours. They also considered the representation of the objectors and the local ward councillor and decided to refuse the application.

**7 Temporary event notice for Premier Banqueting, Stoney Rock Lane, Burmantofts, Leeds, LS9 7TZ**

This item was withdrawn prior to the hearing.