

Licensing Sub-Committee

Friday, 7th August, 2020

PRESENT: Councillor B Garner in the Chair

Councillors B Flynn and A Marshall-Katung

1 Election of the Chair

RESOLVED – That Councillor Ben Garner be elected as Chair for the hearing.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items.

5 Declarations of Disclosable Pecuniary Interests

There were no declarations.

6 Application for the grant of a premises licence for Grocery Store, 87 Domestic Street, Holbeck, Leeds, LS11 9NS

The report of the Chief Officer, Licensing and Regulatory presented an application for the grant of a Premises Licence for Grocery Store, 87 Domestic Street, Holbeck, Leeds, LS11 9NS.

The Legal Adviser to the Sub-Committee explained the procedures to be followed and the Senior Licensing Officer outlined the application.

The application was for the sale of alcohol for consumption off the premises from 08:00 to 22:00 every day.

The application had received a representation from West Yorkshire Police which had been withdrawn following agreement regarding conditions for measures to prevent crime and disorder. There was an outstanding representation from Public Health which the Sub-Committee was asked to consider.

The following were in attendance:

- Mr Nawzad Khalil Ali – Applicant
- Mr Robert Jordan – Representing the Applicant

The applicant's representative addressed the Sub-Committee. The following was highlighted:

- The premises were relatively small and it was believed the hours applied for were reasonable.

- The representation from Public Health referred to the four licensing objectives but did not directly state how this application could affect these objectives.
- It was acknowledged that the area could be problematic, but the premises fell outside the Holbeck Managed Approach Zone.
- There was no mention that the proposed conditions would be inadequate. The representation made was felt to be speculative and there was no evidence of harm caused by other premises in the area.
- There had not been any representations made by Environmental Protection or any representations with regard to child safeguarding or public safety.
- With regard to comments from Public Health regarding the problems around St Matthews with street drinkers, it was reported that the applicant was not intending to sell strong ciders and would be happy for a condition to reflect this.
- There were other premises closer to the Managed Approach Zone and St Matthews.
- The applicant would be participating in the 'Check Right to Work' scheme.
- Incident books would be maintained and contain all details as requested by the Police.
- It was felt that the training documents would satisfy the requirements of Public Health. The applicant would be participating in an online training course.
- There was no intention to sell any lagers or ciders above the strength of 6%.

In response to questions from the Sub-Committee, the following was discussed:

- The applicant would be operating the Challenge 25 Policy in order to prevent underage sales. Extra measures would be taken to prevent alcohol being purchased on behalf of under aged drinkers both inside and outside of the premises. The applicant was also aware of policies in relation to child sexual exploitation.
- CCTV recordings would be kept for a minimum of 31 days.
- The applicant would not serve people who had been refused elsewhere and would keep records of refusals.

The Sub-Committee went into private session to make deliberations. Following a short adjournment the applicant and his representative were brought back for further questions. The following was discussed:

- The applicant was willing to accept a condition with regards to the sale of strong lagers and ciders but would not sell these products regardless.
- With regard to the objection to the application from Public Health, the applicant's representative did not feel that there was a specific case made against these premises.

The Chair concluded the open session of the hearing before the Sub-Committee went in to private session to make their decision. All parties were informed that the decision would be sent within 5 working days.

The Licensing Sub-Committee carefully considered the report of the Chief Officer, Elections and Regulatory, the Statement of Licensing Policy and the representations submitted and made at the hearing.

RESOLVED – That the application be granted as applied for.