

Licensing Sub-Committee

Tuesday, 5th January, 2021

PRESENT: Councillor A Garthwaite in the Chair

Councillors A Hutchison and A Wenham

1 Election of the Chair

RESOLVED – That Councillor Garthwaite be elected as Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against the refusal of inspection 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 Ivy Mount Fisheries, 17 Ivy Mount, Leeds, LS9 9BS

The report of the Chief Officer Elections and Regulatory set out an application for the grant of a premises licence, made by Ajit Singh Sidhu, for Ivy Mount Fisheries, 17 Ivy Mount, Leeds, LS9 9BS

Members were advised of the following points:

- The applicant had applied for a premises licence for the following activities:
 - Sale by retail of alcohol Everyday - 12:00 – 00:00
 - Late night refreshment Everyday - 23:00 – 00:00
- Responsible authorities and Ward Members had been notified of this application. West Yorkshire Police (WYP) had made a representation to the application but agreements have been reached between the applicant and WYP prior to the hearing. The representation has therefore been withdrawn and a copy of the relevant correspondence and documentation evidencing that agreement can be found at Appendix C. The Police had suggested measures in relation to CCTV, Challenge 25 policy and all alcohol sales to be ancillary to food orders at the premises.
- The application has also attracted representations from all three ward councillors and two local residents, all opposing the application on grounds of crime and disorder and public nuisance. These are appended to the report at Appendix D. It was noted that the applicant had tried to make contact with the objectors to alleviate their concerns with a letter which formed part of the agenda pack. In the instance where the objector wished to remain anonymous throughout the full application process, the case officer had acted as mediator;

- Member's attention was drawn to a list of licensed premises in the surrounding area and the hours of licensable activity.

In attendance at the meeting was the applicant Ajit Singh Sidhu who informed the Licensing Sub-Committee of the following points:

- Clarified his current operating hours as;
 - 12:00noon until 14:00 hours
 - 16:30 until 20:00 hours
- It was noted that Mr Sidhu confirmed that the hours of operating would remain the same. However, the hours may extend should deliveries prove successful and he may open until 21:00 or 22:00 hours;
- The reason for requesting 12:00 midnight would only be used for special occasions such as Christmas and Good Friday;
- He has held a Designated Premises Supervisor (DPS) licence for 10 years, he had previously been a Chief Executive of a charitable organisation where he was the DPS at the centre, he had also been a barman for a nightclub in the North East and has a takeaway in the North East. He also said that he had managed to gain an SIA accreditation, which had given him experience of minding people safely and responsibly;
- He had successfully used 2 Temporary Event Notices (TEN) for the shop as a trial to putting in the application prior to Christmas;
- The application for a premises licence was prompted by demand from customer requests that it would be good to be able to pick up alcohol as part of their order. Mr Sidhu said that this service was not available from any other takeaways in the area. He informed the Sub Committee that only the Newsagents sold alcohol in the immediate area;
- Mr Sidhu said that he wanted to work with the community and the responsible authorities;
- He would not be selling alco pops or cider, when selling through the TEN he had primarily stocked beers and wine.

Responding to Members' questions Mr Sidhu informed the Sub Committee of the following:

- He would not be selling alco pops, WKD, Vodka coloured drinks, ciders. He would be selling beers and wine primarily;
- This application was from public demand as something that they would be interested in. He has had the business since October 2020 and approximately 8 to 10 people of different ages, but mainly middle aged had shown an interest in this service;
- He has planning permission to open till midnight. However, he is not planning to open till midnight on a regular basis;
- The business is for food primarily and he wishes to keep it as a traditional 'chippy', his busy period is teatime up to 8:00pm;
- Mr Sidhu said that he wished to take advantage of a delivery service such as 'Just Eat' to grow the business. He said that he was willing to work with the local councillors and the local community to ensure that his business was a success;
- Mr Sidhu explained that prior to the first TEN he had an issue with his Facebook page and so was unable to communicate with the local community.

However, of those customers who had been in the shop whilst alcohol was for sale, some had taken the opportunity to select alcohol with their order. He was of the view that if the page had worked better he would have had more take up. He was due to set up a new Facebook page;

- He had not witnessed any anti-social behaviour in the area since he had taken over the shop in October. He was aware of the reputation of the area as he has owned properties in the area for 10 years. He was of the opinion that anti-social behaviour was tapering off and that the area had vastly improved, although he was aware of an issue with litter in the area. He said that he was surprised that there was not a litter bin outside the shop and he did try to keep the area clean;
- Mr Sidhu explained that he had a Security Industry Authority (SIA) licence from a previous job, but there would be no door security for his shop. He advised the Members that he had permission to change the entrance to the shop so that the shop had a new entrance which faced the main road and that the entrance would be wider and better lit;
- If there was a demand from customers he would like to sell spirits in the future;
- The application was made by Mr Sidhu not a company, he would also be the Designated Premises Supervisor (DPS) and would own and work in the shop. The staff that he employed would be trained, he was fully aware of the policy for Challenge 25 as he had a fish shop in the North East which was a similar business model;
- He planned to sell alcohol in 440ml cans individually or as a promotion such as 4 cans for £5 which he had trialled at Christmas. Wines and spirits would be sold in 70cl bottles;
- Mr Sidhu said that he wished to work with the local councillors, the community and the police and he would monitor any issues in relation to the sale of alcohol and report any disturbances to the police. As part of the measures imposed by the police he had CCTV outside the shop;
- Mr Sidhu explained how the 'Just Eat' app worked and that I.D. would be required to be produced in the shop or on the doorstep for delivery orders with alcohol. He said that his shop in the North East used the same system.

Mr Sidhu informed the Licensing Sub Committee that this would be a unique service in the area. He was interested in making the business work, making improvements to the premises and taking an interest in the area. He was willing to work with the authorities and the local community and councillors. He used the same business model at his other premises and had experience in this business.

Member's discussions included:

- Training of the staff and for them to have an understanding of their responsibilities in relation to Challenge 25;
- Sales of spirits and strength of lagers, beers and ciders;
- Terminal hour for sale of alcohol and late night refreshment;
- Issue of litter.

It was noted that the applicant was not available to the committee after their discussion, so were unable to canvas his views on possible conditions as he had left the meeting.

RESOLVED – To grant the premises licence with the following conditions:

- Sale of alcohol between 12:00 until 23:00 hours
- No beers, lagers or ciders to be sold above 6.5%abv
- No spirits to be sold
- No late night refreshment with the terminal hour being 23:00 hours
- The sale/supply of alcohol shall only be made to accompany the sale/supply of food.

The Licensing Sub Committee also added a condition that litter should be cleared at the end of each shift or after 4 hours if open longer.

The meeting concluded at 11:25