

Licensing Sub-Committee

Monday, 7th December, 2020

PRESENT: Councillor A Hutchison in the Chair

Councillors B Flynn and P Latty

1 Election of the Chair

RESOLVED – That Councillor Andrew Hutchison be elected to the 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 formal late items. However there was supplementary information which had been published to the web page and circulated.

5 Declarations of Disclosable Pecuniary Interests

No declaration of disclosable pecuniary interests were made.

6 Application for the grant of a premises licence for Stokrotka 195 Chapeltown Road (Units A,B & C), Chapeltown, Leeds, LS7 3DX

The report of the Chief Officer Elections and Regulatory requested Members consideration for the grant of a premises licence, made by Mr Agar Khalil Hamid, for Stokrotka 195 Chapeltown Road (Units A, B & C), Chapeltown, Leeds, LS7 3DX

Members were advised of the following points:

- This application was for the grant of a premises licence for a small supermarket;
- The applicant proposed to promote the licensing objectives by taking the steps identified in Section M of the application form;
- Further to receiving the application, the applicant's agent had instructed the Licensing Authority of a reduction to the hours for the sole proposed activity; Sale by Retail of Alcohol. The instruction was to reduce the hours from 06:00 – 00:00 Monday to Sunday, to 10:00 – 22:00 Monday to Sunday, a copy of the letter was appended to the report at Appendix B. It was noted that the time the premises proposed to open to the public had also been amended to reflect the timings detailed in the proposal;
- The applicant had submitted additional items in support of the application for Members of the Licensing Sub-Committee to consider. These documents include a letter served on all objectors, where addresses have been provided, giving the applicant's background and an overview of the application, an assessment of the objections received to the application and data on crime and anti-social behaviour in the vicinity of the premises;
- A copy of the supporting information was attached to the submitted report at Appendix C;
- Joint representation had been received from local ward members which was attached at Appendix E;
- 29 individual letters of representation and a petition had been received these were attached at Appendix F;

- A list of other licensed premises in the area was attached at Appendix G.

In attendance at the meeting were:

- Mr Agar Hamid – Applicant
- Mr Chris Connor – Applicants Representative
- Mr A Clark – Applicants Representative - as an observer
- Ms Amanda Usher-Woods of Woodswhur representing the objectors
- Mr Peter Wenham – Objector
- Ms Bridget Robinson – Objector
- Ms Elaine Rey – Objector

Mr Conner informed the Sub-Committee of the following points:

- The applicant had made changes to the request for permitted hours these were now proposed as 10am-10pm. He had also reduced opening and closing times to 7am – 10pm;
- The letter to the objectors had been sent advising them how Mr Hamid proposed to run his business. It was noted that the premises had opened on Saturday 5th December, but was not selling alcohol;
- Mr Connor said that Mr Hamid had come to this country from Syria and had invested highly in his business. He had previously worked at a premises in Lincoln Green;
- The building had previously been unoccupied. Mr Hamid had invested £150,000 in refurbishing the shop with new windows, front facia to provide a customer friendly premises. It was noted that Mr Hamid had taken out a 10 year lease on the building;
- Spirits would be kept behind the counter, with beer kept in a fridge and wines on display. It was noted that the alcohol displays were not near the door and could be easily seen and controlled by staff;
- The premises was an international food supermarket selling Eastern European foods, fruit and vegetables and household goods. Mr Hamid wished to sell alcohol to compliment the foods that he sold;
- It was recognised that Chapeltown had a history of being a deprived area of the city. However, Mr Connor was of the view that these premises would assist in making it better;
- Mr Hamid was not proposing to sell high strength beer, lager or cider over 6.5%;
- The premises benefitted from CCTV with 16 cameras installed 11 internally and 5 externally.

Ms Usher-Woods acting on behalf of the residents who had objected to the application informed the Members of the following points:

- A local area profile had been provided to the Sub-Committee which showed the crime and disorder associated with the area, including murder and assaults. It was recognised that the area had issues such as public urination, vagrancy, men loitering on the streets with women and girls being harassed. Harehills is within the Cumulative Impact Policy and had been the area of one of the most notorious pubs in Leeds. This area also has issues with cheap alcohol and mental health;

- Close to the premises is the dance school and reconciliation centre with families living nearby and visiting the local parks. There is a bus stop close by which is used by school children;
- The applicant had not liaised with residents prior to the this application and the letter received had exacerbated resident's concerns;
- The area welcomed the convenience store but were concerned about the sale of alcohol.

In response to questions from Members the Licensing Sub-Committee were advised of the following:

- The applicant was confident that the business could be successful without a licence for alcohol. However, he wanted to provide his customers with a choice the same as Lidl and other stores in the area. It would also increase his turn over and provide better prospects for his business;
- Within the hours that alcohol was not for sale the fridges would be locked, the wines would be covered by a screen and the spirits would remain on the top shelf behind the counter;
- Signage would be available to inform customers of the licensable hours of the store;
- It was noted that the premises was a supermarket and that the Mr Hamid had no intention of it being a bar;
- The applicant was aware of street drinkers in the area and was of the opinion that they would be toxic for his business. He would turn known street drinkers away and not serve them. The applicant also offered to label his alcohol with a special label in case any of his customers were found to be drinking in public so that he could be informed and make sure that they were not served again.

In summing up Mr Connor said that this was a long term investment by Mr Hamid for the area of Chapeltown. He planned to employ 7 to 8 full and part-time staff. This particular premises was not in the cumulative impact area. Although, he recognised the genuine concerns raised, but was of the opinion that Mr Hamid would run his business well. There had been no representation from the Police, issues had been addressed and the applicant had reduced the operating hours. It was noted that Mr Hamid would be the DPS for the premises and held a personal licence which had been granted earlier in the year.

It was recognised that some of the crimes mentioned by Ms Usher-Woods were alcohol fuelled and some related to the carnival of the previous year.

Member's discussions included:

- The representations received;
- The community based work of the applicant;
- The offer not to sell high strength beers, lagers and ciders;
- Signage for hours of sale of alcohol;
- Willingness of the applicant to label his products with specific labels and to keep the outside of the premises clean.

RESOLVED – To grant the application with the following conditions:

- Reduced hours for sale of alcohol between 10:00am to 10:00pm; and
- The Committee noted the additional offer of conditions made by the applicant relating to the sale of high strength beer, cider and larger, and of labelling the containers sold to identify them following sale and that these conditions should form part of the operating schedule

The meeting concluded at 11:45