

## **Licensing Sub-Committee**

**Monday, 1st March, 2021**

**PRESENT:** Councillor B Garner in the Chair

Councillors A Hutchison and P Wray

### **1 Election of the Chair**

**RESOLVED** – That Councillor B Garner be elected as Chair for the duration of the meeting.

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

There were no appeals.

### **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 Tesco Stores Limited 93 Portland Crescent, Leeds, LS1 3AY**

The Chief Officer (Elections and Regulatory) submitted a report that advised Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a new premises licence in respect of Tesco Stores Limited 93 Portland Crescent, Leeds, LS1 3AY.

The Legal Adviser to the Sub Committee set out the procedure to be followed and the Senior Licensing Officer outlined the application.

In summary, the application was for:

Sale by retail of alcohol – Every day 06:00 – 00:00 (for consumption off the premises)

The application has attracted representations from other persons. West Yorkshire Police also submitted a representation, however, agreements were made between themselves and the applicant prior to the hearing, subsequently the representation was withdrawn.

The following were in attendance:

- Chris Rees-Gay (Pinsent Masons LLP) – Applicant’s Representative
- Hardish Purewal – Licensing Manager for Tesco
- Paul Robinson - Area Manager for Tesco
- Phil Crier (PBC Licensing) – Representing Academy Music Group Ltd (Objector)

Mr Rees-Gay addressed the Sub-Committee on behalf of the applicant, providing a brief overview of the background of national retailer, Tesco, and explained that the new convenience store has been designed for the use of local residents, with a strong community ethos. Members were also advised that a formal training programme, including online and one-to-one training sessions, is delivered to all employees of Tesco stores. Mr Rees-Gay noted that once a customer has left the vicinity of the store, they are no longer the responsibility of Tesco staff, however also recognised the importance of being a responsible retailer and therefore offered to work with the O2 academy moving forward to address any concerns arising in the local area. Mr Rees-Gay recognised that the premises is located within the Cumulative Impact Area, however considered any concerns to have already been addressed within the set of conditions agreed with West Yorkshire Police.

The Sub-Committee sought clarification of the schedules for security guards at each of the other Tesco stores in the city centre, and were advised that all stores employ door staff from 2.00 p.m. until 11.00 p.m. every day of the week. It was confirmed that these schedules were put in place following routine risk assessments for each of the stores, as opposed to formal conditions applied to the premises licences by the licensing authority. Representatives also confirmed that a risk assessment would be completed once national COVID-19 restrictions had been eased, ahead of the July 2021 opening, to ensure that the assessment is a true reflection of the area and regular footfall.

Mr Crier addressed the Sub-Committee on behalf of the objector, and highlighted the two proposed conditions within the written objection for Members consideration. Otherwise, Mr Crier recognised that the applicant had evidenced commitment to providing door security at other city centre stores and welcomed the applicants’ cooperation with the O2 Academy for any future issues that arise.

The Sub-Committee asked the objector to confirm how often the O2 Academy host events until 6.00 a.m., but unfortunately Mr Crier was unable to obtain this information during a short break of the proceedings.

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 on behalf of the applicant and those from the objector.

**RESOLVED** – That the application be granted as applied for.