

## **Licensing Sub-Committee**

**Tuesday, 27th July, 2021**

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

Councillors L Martin

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

**RESOLVED** – That Councillor Billy Flynn 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. However there was supplementary information which had been published and circulated to all relevant parties.

### **5 Declarations of Interests**

No declarations of interests were made at the meeting.

### **6 Application to vary a premises licence held by Londis 249 Low Lane, Horsforth, Leeds, LS18 5NY**

The report of the Chief Officer Elections and Regulatory requested the Licensing Sub Committees consideration for an application to vary a premises licence, made by Kanthasamy Senthuran, for Londis 249, Low Lane, Horsforth, Leeds, LS18 5NY

In attendance at the meeting were:

- Mr Kanthasamy Senthuran – Applicant
- Mr Ian Rushton – Applicant's Representative
- Cllr Ray Jones – on behalf of Horsforth Town Council

Prior to the commencement of the meeting Cllr Flynn advised all present that unfortunately a third member could not be found to hear the application. He asked if all parties were agreeable to the meeting continuing with only two members.

All parties agreed that the hearing continue.

The Licensing Officer informed the Sub-Committee of the following points:

- The hearing to consider this application had originally been scheduled for the 23<sup>rd</sup> June 2021. Further to a request from the applicant's agent it had been deferred.
- The premises were granted a premises licence in April 2019 for the sale of alcohol for consumption off the premises, every day between the hours of 06:00 and 23:00. On the 16<sup>th</sup> February 2021 an application was received for

both the transfer of the licence and a change to the Designated Premises Supervisor (DPS), to Kanthasamy Senthuran.

- A full variation application was received by Licensing on 27<sup>th</sup> April 2021. The application was to:
  - Extend the hours for the sale of alcohol and the hours of opening to 24 hours, also add the activity of late night refreshment, as the premises has a Costa Coffee machine. Between the hours of midnight and 05:00, it was proposed that all sales would be via a hatch.
  - Remove and replace all current non-mandatory conditions, except public nuisance conditions, these would remain the same as currently on the premises licence. The applicant also proposed a further new condition for staff to monitor outside the shop to check that youths are not congregating or causing a nuisance.
  - The applicant's agent had informed the Licensing Authority and the objectors to the application that a decision had been made to reduce the hours applied for to:
    - sale of alcohol:
      - Sunday to Thursday 06:00 until midnight
      - Friday and Saturday 06:00 until midnight
    - Late night refreshment:
      - Sunday to Thursday 23:00 until midnight
      - Friday and Saturday 23:00 until midnight
  - The application submitted for 24 hours, included reference to a serving hatch being used after 11pm. However, the applicant now deems that a hatch is not appropriate or necessary, and proposed to amend this so that customers continue going inside the shop after 11pm for their purchases.
  - Representation had been received from the Environmental Protection Team in their capacity as a responsible authority. A copy of the representation was appended to the report at Appendix D. It was noted that since the publication of the agenda and the reduction of hours an email had been received from Environmental Protection Team withdrawing their representation.
  - Entertainment Licensing were also in receipt of a letter of representation from Horsforth Town Council, who opposed the application on grounds of public nuisance. A copy of the representation was attached to the submitted report at Appendix E.
  - A list of premises in the local area and their licensed hours and activities was provided at Appendix F.

Mr Rushton addressed the Licensing Sub Committee providing the following information:

- This is a general convenience store selling the usual goods of newspapers, bread, milk and alcohol. Alcohol sales are approximately 10-15% of all sales.
- The applicant, Mr Senthuran lives in the Harehills area of Leeds and became the owner of Londis in February 2020, taking on a 15 year lease for the shop. Mr Senthuran has worked in retail for 6 years and has a personal licence and will be the DPS, he also has experience of working in licensed premises.
- No complaints have been received in relation to the premises and it was the view of the applicant's representative that these are well run premises.

- The original application had been for a 24 hour premises licence, however, this had now been further reduced to 6:00am until midnight seven days a week and a late night refreshment from 11pm until midnight seven days a week.
- Mr Senthuran wants to be part of the community and develop the business.
- The original application had also proposed that a serving hatch would be used for purchases. However, with the reduced hours it was not deemed necessary and customers would enter the shop to buy goods.
- It was the view that this was a comprehensive application to promote the licensing objectives. There is CCTV both inside and outside the premises with 48 cameras in total. The premises use Challenge 25, staff would receive appropriate training and regular checks would be made to ensure that notices requesting that customers be quiet are in place and that litter is removed from the front of the premises. It was noted that a risk assessment had been submitted.
- The police had raised no objections to the original application for a 24 hour premises licence. No objections had been received from Ward Councillors or residents.
- Discussions had taken place with the Horsforth Town Council in relation to the reduction of hours to midnight. At the discussions it was the view of the Town Council that resources of the police would be stretched if the extra hour was granted.

Councillor Jones on behalf of the Horsforth Town Council informed the Licensing Sub Committee of the following points:

- This application had been discussed by the Town Council and had considered the reduced hours.
- These premises are located on a busy road which has airport traffic travelling along it and is in a residential area.
- There is a Tesco's nearby which closes at 11pm and a garage nearby also.
- Londis is located close to the student campus and the Town Council were concerned that students may go to Londis to purchase alcohol when the Tesco shuts at 11pm. Councillor Jones said that incidents of anti-social behaviour involving the students had occurred outside the Tesco. The Town Council were concerned that if the extra hour till midnight was granted to Londis issues of anti-social behaviour would transfer to Londis.
- The Town Council would be happy with Londis opening until midnight but not to sell alcohol.
- The concerns of the Town Council were that there would be an increase in noise in this residential area. Councillor Jones said that he had spoken to the police who had said that they were unaware of this application.

In response to questions from the Licensing Sub Committee the following was noted:

- The Tesco is approximately 700 yards away from Londis.
- No examples of anti-social behaviour could be provided to the Sub-Committee, but incidents were logged by the Town Council. There had been fewer incidents recently as there had been no students on campus due to the pandemic.

- The proposal of 06:00 till midnight, seven days a week had been agreed with Environmental Protection Team.
- There would be no seating area outside Londis. Purchases would be takeaway only. It was the view that taxi drivers would use the premises for takeaway coffee. It was noted that Londis had a large parking area.

Mr Rushton in summing up provided the following information:

- There are comprehensive conditions on the premises licence.
- There had been no objections from residents or Local Ward Councillors.
- There were powers to address anti-social behaviour.
- Licence Holders are only responsible for the area immediately outside the shop.
- It was only speculation that there would be issues of bad behaviour outside Londis.
- There was CCTV inside and outside Londis, which would be made available to the police.
- These premises are well run and if there were issues with a midnight close this could be brought to a review.

Members discussions included:

- Proposed hours of opening
- Proximity of other premises with a licence
- Anti-social behaviour issues
- Noise issues

**RESOLVED** – To grant the premises licence as applied for.

*The meeting concluded at 11:00am*