

Licensing Sub-Committee

Tuesday, 31st August, 2021

PRESENT: Councillor P Wray in the Chair

Councillors J Gibson and L Martin

1 Election of the Chair

RESOLVED – That Councillor P Wray 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 formal late items.

5 Declaration of Interests

No declarations of interest were made at the meeting.

6 Application for the grant of a premises licence for Calverley News, Woodhall Road, Calverley, Pudsey, LS28 5PP

The report of the Chief Officer Elections and Regulatory requested the Licensing Sub-Committees consideration for the grant of a premises licence in respect of Calverley News, 60 Woodhall Road, Calverley, Pudsey, LS28 5PP.

In summary, the application proposes sale by retail of alcohol Monday – Friday 08:00 until 21:00, Saturday 09:00 until 21:00 and Sunday 09:00 until 13:00.

The application has attracted representations from a local ward councillor and 4 members of the public, all on the grounds of public safety and public nuisance.

In attendance at the meeting were:

- Mr Nilesh Mistry, Applicant
- Councillor Andrew Carter, Objector

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

It was noted that the premises operate as a general convenience store that currently hold a Premises Licence for off sales only and the applicant's intention is to continue

operating as a convenience store, but with the additional facility to provide alcohol sales to be consumed in an outdoor seating area.

Mr Nilesh addressed the Sub-Committee. Mr Nilesh explained that the premises has been running on reduced hours during the pandemic, 8 am until 7 pm and there are currently no plans for that to change. It was confirmed that the general running of the shop will remain the same and will continue to offer services for all age groups.

Mr Nilesh informed the Sub-Committee that the mobile catering units adjacent to the premises provided services during the pandemic to the local community, and the application will enable customers to wait and have a drink whilst their food is being prepared. Mr Nilesh confirmed that alcohol being consumed would not be early hours in the morning and will primarily be when the mobile units are operating outside of the premises.

Mr Nilesh explained that views collected from neighbours have been positive and it was confirmed that outdoor seating is foldable to easily put away inside the premises on an evening. The applicant confirmed there were plans to separate the licensable area and the pavement to disassociate passing residents. It was confirmed that there is currently a bench outside, as well as table and chairs for families to use whilst eating their ice-creams and coffees and there have been no anti-social behaviour related issues.

In response to questions from Sub-Committee Members, the following information had been confirmed:

- Alcohol can currently be bought inside of the shop, and then consumed off the premises;
- There is a draft machine inside of the premises that is located in the far corner of the premises and the current licence only allows for beverages to be sold with a closed top. The licence sought for would allow pints to be sold in open top cups;
- The premises is family orientated and the general running of the shop would not change. Confectionary is sold on one side of the counter, with alcohol being sold on the other side;
- The use of the draft machine is intended to be used primarily on a Friday and Saturday, and in conjunction with the mobile catering units;
- Draft beer will be sold in cups with lids, and patrons will have to walk past the confectionary counter before vacating the premises.

Councillor Carter addressed the Sub-Committee and raised concerns with draft beer being sold prior to the application being submitted. Councillor Carter explained that his main concern related to road safety issues, particularly with speeding and cars being able to park on the forecourt where food outlets are operating. Councillor Carter confirmed that he had been in contact with the Council's Highways Department in relation to further traffic calming measures.

Councillor Carter queried how the sale of alcohol will be controlled, specifically in relation to how long customers will consume alcohol for and the amount of time a customer is on the premises. Councillor Carter referred to road safety concerns, and although it was acknowledged that a zebra crossing had been installed, concerns

remained with customers consuming a high volume of alcohol and stepping out into the road whilst they're collecting food from the vans.

Mr Nilesh summarised by informing the Sub-Committee of the following points:

- Following a conversation with the Licensing Authority, draft beer is sold in plastic bottles with lids;
- Clarity on the position of the tables and the food vans;
- Many local residents will walk to the premises, whilst others will park to pick up food from the vans;
- The distance between the zebra crossing on the main road and the premises in comparison to local pubs;
- The premises don't advertise that alcohol is being sold and people wanting to consume large volumes of alcohol will go elsewhere;
- It's envisaged that customers will have 1 drink whilst waiting for their food, and consumption of alcohol will be low.

At this stage, the Sub-Committee moved into private session to deliberate.

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 the objector.

RESOLVED – that the application be refused.

(The meeting concluded at 11.25)