

Licensing Sub-Committee

Tuesday, 14th June, 2022

PRESENT: Councillor A Hutchison in the Chair

Councillors L Farley and B Flynn

1 Election of the Chair

RESOLVED – That Councillor A Hutchison be elected as chair for 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 was no exempt information.

4 Late Items

There were no late items. Supplementary information was submitted for Agenda Item 7, Application for the Grant of a Premises Licence for Convenience Store, 344A Dewsbury Road, Leeds, LS11 7DJ. This information had been published and distributed prior to the meeting.

5 Declaration of Interests

There were no declarations.

6 Certification of Films – Various Films Submitted by Hyde Park Picture House

The report of the Chief Officer, Elections and Regulatory presented an application for the certification of two films to be screened at The Pyramid Theatre, Leeds University Union, Leeds and Heart, Headingley, Leeds. The screenings are scheduled to take place on the 23rd June 2022 and 3rd July 2022.

The applicant had provided links for the Sub-Committee to view the films and had recommended a 12 certificate in respect of the film titled 'Khartoum Offside' and a 15 certificate in respect of the film titled 'The Deathless Woman'. A synopsis for each of the films was detailed in an appendix to the report.

Robb Barham of the Leeds University Union was in attendance to answer any questions from the Sub-Committee.

Members of the Sub-Committee agreed with the recommendations for the certification of the films.

RESOLVED – That the film 'Khartoum Offside' be given a 12 Rating and 'The Deathless Woman' be given a 15 rating.

7 Application for the grant of a premises licence for Convenience Store, 344A Dewsbury Road, Leeds, LS11 7DJ

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a Premises Licence at Convenience Store, 344A Dewsbury Road, Leeds.

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

The application was for the sale of alcohol for consumption off the premises from 08:00 to 23:00 every day.

This was a first application for a licence at these premises and the application had attracted representations from West Yorkshire Police, Environmental Health and Public Health. Conditions to satisfy the representations from West Yorkshire Police and Environmental Health had been agreed and those representations had been withdrawn. The representation from Public Health remained outstanding and was for consideration by the Sub-Committee.

The following were in attendance:

Mr R Jordan – Representing the applicant
Mr Muhammad – Applicant

Nicola Kelly-Johnson – Public Health

The applicant's representative addressed the Sub-Committee. Issues highlighted included the following:

- In response to concerns that the granting of an application would potentially compromise the licensing objectives, it was reported that this would not be the case as full staff training would be provided.
- There would not be the sale of low cost alcohol.
- There were no outstanding objections from West Yorkshire Police or Environmental Health.
- There had been no previous issues at the premises with sale of age restricted goods to under age customers.
- There were other premises nearby that had a 24 hour licence.
- The alcohol would be purchased in small quantities from wholesalers and it would not be viable to sell on at low cost.
- With regards to concerns regarding the application not meeting the objectives of the prevention of crime and disorder there had not been any outstanding objection from the police. Likewise with regards to potential for anti-social behaviour and the withdrawal of the Environmental Health representation.
- The applicant had been trading for 11 years and would promote the licensing objectives. Conditions had been agreed with the Police and Environmental Health. There would be full staff training and CCTV was in operation at the premises. There was no intention of selling to under age customers.

The applicant addressed the Sub-Committee. He reiterated that there would not be low cost alcohol on sale. The premises were very small and had CCTV in operation. He wanted to sell alcohol as this had been requested by customers.

The applicant's representative concluded that with the conditions and staff training provided that the licence should be granted. The Challenge 25 policy would be in operation and there would not be cheap alcohol for sale.

The Public Health representative addressed the Sub-Committee. Issues highlighted included the following:

- There was no inference that there would be sales to children. There was concern that children were exposed to alcohol via sales to adults.
- The area was saturated with premises that sold alcohol.
- The Sub-Committee was informed of the matrix used by Public Health to determine the risk of harm from alcohol. This included factors such as levels of deprivation, young people not in education or training and ambulance call outs. This area was the 7th most at risk out of 107 areas across Leeds.
- The area had the highest level of young people not in education or training and second highest number of looked after children across the city. There was an increased risk to these of harm caused by alcohol.
- The area had the fifth highest level of domestic violence recorded across the city. Some of which could be related to alcohol.
- The high level of ambulance call outs indicated that there were public safety issues in the area. An additional alcohol licence could cause an unnecessary burden on health services and would not help to address health inequalities.

In response, the applicant's representative concluded that there were problems across many other areas of the city. He reiterated that there would not be the sale of low cost alcohol and referred to the conditions agreed with the Police and Environmental Health and requested that the licence be granted subject to those conditions.

In response to questions from the Sub-Committee, the following was discussed:

- Public Health considered the wider area at a neighbourhood level when compiling the matrix of harm from alcohol.
- Public Health had contacted Ward Councillors with regard to the application.
- Public health had considered that the area be considered for a cumulative impact assessment.
- The applicant did not have any details of test purchases that had been carried out at the shop.
- The training program had been devised by the applicants representative and was based on their experience of supporting licensed premises.
- There was no intention to display materials promoting the sale of alcohol at the premises.
- The applicant wished to sell alcohol as other nearby shops did and customers had also requested the sale of alcohol.
- The applicant had not yet undertaken any training. In future he would be responsible for training employees.
- The applicant was proposing to sell a range of beers and spirits. There would be no lager or ciders above the strength of 7.5%.

- Age restricted items currently on sale included lighters, electron cigarettes and cigarette papers.
- There was concern that as there were other shops in the area that sold low cost alcohol that the applicant would have to sell low cost alcohol to remain competitive and that alcohol would be affordable for those on benefits.
- There was no evidence of any issues requiring licensing enforcement in the area.

In conclusion the applicant's representative reiterated that there would not be low cost alcohol on sale. He also informed the Sub-Committee that there had not been any discussion with local councillors. The training to be provided was based on recognised courses and the applicant had addressed all the necessary issues.

The Chair concluded the open session of the hearing before the Sub-Committee went in to private session to make their decision. All parties were informed that the decision would be sent within 5 working days.

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.

RESOLVED – That the application be granted as applied for.