

Licensing Sub-Committee

Tuesday, 16th July, 2024

PRESENT: Councillor A Ali in the Chair

Councillors E Carlisle and S Holroyd-Case

1 Election of the Chair

RESOLVED – That Councillor A Ali 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 for Agenda Item 7, Application for the grant of a Premises Licence for Home Bargains, Unit 1, Centre West Retail Park, Stanningley Road, Leeds, LS12 3AS was published and distributed prior to the meeting.

5 Declaration of Interests

There were no declarations.

6 Application for the grant of a premises licence for Home Bargains Unit 1, Centre West Retail Park, Stanningley Road, Leeds, LS12 3AS

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a Premises Licence for Home Bargains, Unit 1, Centre West Retail Park, Stanningley Road, Leeds, LS12 3AS.

The following were in attendance for this item:

- Alex Green, Gosschalks LLP – Representing the applicant
- Gary Egerton, National Licensing Manager, Home Bargains
- Mark McGrady, Home Bargains

The Legal Officer explained the procedure to be followed and the Licensing Officer presented the application.

The application was for the sale by retail of alcohol, every day between 06:00 and 00:00 for consumption off the premises.

Responsible authorities and Ward Members had been notified of the application and the application had attracted representations from other parties. The premises fell within the Cumulative Impact Area as detailed in the supplement to the Agenda.

The applicant was invited to address the Sub-Committee. The following was highlighted:

- Home Bargains operated over 600 stores nationwide. There had never been any review proceedings against the company which was testament to the standard of operation.
- £1 million had been invested in the store and it would potentially create up to 50 jobs.
- There would only be a very limited alcohol range which would mainly consist of beers and wines and would only take up 2% of store space.
- It was proposed to sell alcohol to allow customers to do all their shopping in one visit.
- The premises would have digital CCTV throughout, the Challenge 25 scheme would be in operation along with till prompts and comprehensive training for all staff. There would be three Premises Licence Holders at the store and Home Bargains was part of the Retail Alcohol Standards Group.
- The Sub-Committee was asked to note that there had not been any representations made by any of the responsible authorities and conditions had been agreed with the police. If the application and conditions offered had not been adequate, there would have been objections from the police.

In response to questions from the Sub-Committee, discussion included the following:

- The fact that the premises fell within the Cumulative Impact Area did not automatically mean the application should be refused. Responsible authorities had opportunity to object.
- The lack of representation from the responsible authorities was a positive sign.
- The hours applied for were to allow flexibility. The store would not usually be open for that length of hours, but this would give opportunity for sale of alcohol should there be an extension of opening times at periods such as Christmas.
- The applicant's representative indicated that they would be willing to reduce the hours from 07:00 to 23:00.
- It was not proposed to have SIA security staff at the store.

The applicant's representative was invited to summarise. He referred to Home Office guidance with regards to reasons to refuse an application based on the licensing objectives but saw there was no good reason to contradict the guidance for this application. There had only been one objection from a resident and West Yorkshire Police would have objected if they felt that any objections would have carried considerable weight. The applicant had offered robust conditions and was a major national retailer with a spotless record.

The Sub-Committee went into private session to make their deliberations and re-convened to put some more questions to the applicant.

Further discussion included the following:

- The applicant would be carrying out a full risk assessment and would liaise with the police regarding security arrangements.

- A condition to limit the strength of beers and ciders would not be unusual and similar conditions are in place at some of their stores elsewhere.
- The applicant reiterated that they would be happy to reduce the hours applied for. It was not thought that the store would ever be open beyond 22:00.

The Sub-Committee went into private session to make their deliberations and carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and at the hearing and also the Statement of Licensing Policy.

RESOLVED – That the application be granted subject to the following:

- Sale of alcohol to be only permitted between 07:00 and 23:00
- No beers or ciders above 6.5% abv to be sold.
- A minimum of one Security Industry Authority accredited individual shall be deployed within the premises during the hours when alcohol is offered for sale.
- There shall be no sale of spirits, other than occasional, one-off, seasonal gift packs.

7 Application for the Grant of a Premises Licence for The Hut, 147 Kirkstall Lane, Kirkstall, Leeds, LS5 3LF

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a Premises Licence at The Hut, 147 Kirkstall Lane, Kirkstall, Leeds, LS5 3LF.

The following were in attendance:

- Christopher Wenham, Director of Wenham Homes Ltd
- Natalie Stocking – Partner of Christopher Wenham and proposed DPS
- Sam Cunningham – The Hut
- Councillor Hannah Bithell – Objector

The Legal Officer explained the procedure to be followed and the Licensing Officer presented the application.

The application was for the sale by retail of alcohol (for consumption both on and off the premises) every day from 11:00 to 23:00.

The sale of alcohol would be via a serving hatch to an outdoor seating area and there was no internal access for customers. In agreement with West Yorkshire Police, the applicant had agreed to reduce the terminal hour of sales to 22:30.

The applicant had attracted representations from Ward Councillors and members of the public.

The applicant and their representatives addressed the Sub-Committee. The following was highlighted:

- The premises was currently running as a gift shop and also sold sweets, cakes and drinks.
- The intention to sell alcohol was to give people an alternative to using off licences or visiting busy bars.
- There had been a lot of positive feedback from the local community and existing customers had requested the sale of alcohol.
- Having a licence would give opportunity to people who used the outdoor seating area to have wine or beer with their food.
- A lot of the products sold at the premises were locally sourced from small businesses. This included food and gifts.

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

- Staff would do Challenge 25 training and would not serve anyone who was drunk.
- The premises was set back from the road and fenced off.
- A portaloo would be installed and this would be fenced off.
- There would not be problems with the highway getting blocked. There was only seating for 12 people.
- Other bars in the area were closer to the roadside.
- Alcohol has not yet been sold from the premises.

The objector was invited to address the Sub-Committee. The following was highlighted:

- Whilst the use of the premises as a shop was welcomed it was not felt appropriate as a licensed premises.
- There had been attempts to visit the premises but it had always been closed.
- Even though it was proposed to be a venue for higher priced drinks, there were other nearby higher priced drinking establishments that people attended just for drinking.
- It had been reported that alcohol was already being sold at the premises and a chalk board was advertising wines and spirits.
- There were concerns regarding toilet facilities and whether planning permission would be required for the portaloo.
- Public safety – there were concerns with the proximity to the highway and a major road junction.
- Prevention of public nuisance – There was not proposed to be any security staff and there were already problems in the area with car parking when the stadium was being used. There were concerns about people congregating outside and where smokers would go.
- What consultation had there been with local residents?
- Why was there a need for a queuing area when there was only seating 12 people?
- The premises were on a main route to Headingley Stadium. What was the capacity for standing customers?
- Concerns that signage asking customers to be quiet was inadequate and that music could be played.

- Should the premises be sold, the licence would remain and there were concerns about how the premises could then be operated.
- It was not felt that the licensing objectives relating to public nuisance and public safety would be met.
- Should the licence be granted could it be with the condition that there were no alcohol sales on match days at Headingley Stadium.

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

- The proposal to sell alcohol was to give people opportunity to have a glass of wine or beer with their food and had been in response to requests from customers.
- The applicant indicated that they would be happy to have restrictions on the sale of alcohol during events at the stadium and for alcohol to be only sold with food.
- The applicant had worked in the area for fifteen years and had a good knowledge of the area. They had owned the premises for two years and had spoken to local residents regarding the proposals. There were other bars close by that were near to residential properties. It was not proposed to operate the premises solely as a bar.
- Should there be any queues at the premises these would form at the perimeter of the building. It was not anticipated that large numbers would turn up.
- It wasn't expected that the sale of alcohol would greatly increase custom. The applicant was willing to work with any conditions.
- The premises had been open on matchdays selling soft drinks and there had not been any problems.

In summary, the applicant informed the Sub-Committee that the aim was to create a positive environment for customers and local people and that they would be happy to adhere to any conditions.

The Sub-Committee went into private session to make their deliberations and carefully considered the report of the Chief Officer, Elections and Regulatory, the submissions made in writing and at the hearing and also the Statement of Licensing Policy.

RESOLVED – That the application be granted subject to the following:

- That there be no sale of alcohol at the premises during major events at Headingley Sports Stadium (with the exception of County Championship Cricket).
- That alcohol only to be sold as a complement to food.

8 Certification of Films – Leeds Young Film Festival on Tour

The report of the Chief Officer, Elections and Regulatory presented an application for nine short films to be shown at South Leeds Youth Hub Middleton Road, Belle Isle. The films will be shown as part of Leeds Young Film Festival on Tour, taking place throughout August 2024 during Breeze's Healthy Holiday Summer Camp.

A synopsis of each of the films was detailed in the report along with proposed recommendations for certification. Details of officer comments were also attached and no concerns had been raised with regards to the films or the proposed classifications. A 'U' Certification had been requested for each of the films.

RESOLVED – That the application be requested as applied for and each of the nine films be given a 'U' classification.