

Licensing Sub-Committee

Tuesday, 17th December, 2024

PRESENT: Councillor S Holroyd in the Chair

Councillors N Buckley and L Martin

1 Election of the Chair

RESOLVED – To elect Councillor Holroyd to the Chair for the duration of the meeting.

2 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

3 Exempt Information - Possible Exclusion of the Press and Public

There was no exempt information.

4 Late Items

There were no late items.

5 Declaration of Interests

No declarations of interests were made at the meeting.

6 Application to Vary a Premises Licence for Chicken Stop, 92 Queens Road, Headingley, Leeds, LS6 1HU

The report of the Chief Officer Elections and Regulatory requested Members consideration on an application to vary a premises licence held by Mr Aziz Ur-Rehman, for Chicken Stop, 92 Queens Road, Headingley, Leeds, LS6 1HU.

Present at the meeting was:

- Mr Aziz Ur-Rehman the applicant.
- Mr James Ibbetson a student journalist.

The Principal Legal Officer set out the procedure for the meeting.

The Principal Licensing Officer presented the report providing the Sub-Committee with the following information:

- A copy of the current premises licence detailing the existing operating schedule was appended to the submitted report at Appendix A.
- The applicant Mr Aziz Ur-Rehman had requested:
 - An increase in the hours for Late Night Refreshment each Sunday by an additional 30 minutes, until 02:00 hours;
 - To remove the licensable activity Sale by Retail of Alcohol;
 - To open the premises to members of the public from 11:00 hours to 02:00 hours every day.
 - To remove conditions 12, 13 and 44 on the licence in relation to alcohol sales which would no longer be necessary if the application was successful; and
 - To remove conditions 45 and 46, restricting the provision of late-night refreshment to 'off the premises' only and by telephone order after 23:00, which were attached to the licence by the Licensing Sub Committee on grant in November 2005.
- A redacted copy of the application form was attached at Appendix B. No additional measures had been offered to promote the licensing objectives;

however, the Applicant had provided information under 'Section M' of the application form.

- A representation had been received from West Yorkshire Police in their capacity as a responsible authority. However, negotiations had taken place prior to the hearing and the operating schedule had been amended to include measures suggested by and agreed with West Yorkshire Police. A copy of the representation and agreement were attached to the submitted report at Appendix D.
- The application had also attracted a representation from a member of the public who was opposed to the application on the grounds of anti-social behaviour and public nuisance. The objector had expressed concern that they may be at risk of retribution should their details be made public and requested their details had been withheld throughout the process. They had requested that their written representation be considered as they did not wish to attend. A redacted copy of the representation was appended to the report at Appendix E.
- The premises are located within the Cumulative Impact Area for Hyde Park. Details of the Cumulative Impact Policy specific to Hyde Park and an outline of the evidence behind the reason for setting this policy was attached at Appendix F of the report.
- A list of licensed premises in the local area and their hours and activities was attached to the report at Appendix G.

The applicant Mr Ur-Rehman provided the Licensing Sub-Committee with the following information:

- He had taken control of the premises licence in 2017 when he had renamed it the Chicken Stop.
- He was requesting more hours as he was struggling to make the business profitable, and his utility bills had increased.
- The delivery orders were not enough to keep the business going and he needed to be able to open when people were coming out of town when the pubs shut between midnight and 2.00am. He said that students wished to come to his shop for food after leaving the pubs in town and they were nice and friendly.
- He does not wish to sell alcohol, and he never has sold it and that was why he wished to remove alcohol from the licence and the conditions which related to alcohol.
- In relation to the objection and public nuisance he informed the Sub-Committee that he has a good CCTV system in the premises. He had taken onboard the measures the Police had required, and these had been agreed.
- He and his family live in the Hyde Park area and he himself is a student at Leeds University, so he is aware that students can be noisy, and chat loudly, but he deals with this issue.

In response to questions from the Members of the Sub-Committee, the following information was provided:

- The Members acknowledged that Mr Ur-Rehman had complied with the suggestions made by the Police, and he was aware of his responsibility of owning a premises in the Hyde Park Cumulative Impact Area. However, his

premises would not be selling alcohol and he only wanted to provide a takeaway food service. It was not only students who use his premises but shift workers and families who live in the area. He wished to be able to open on a Sunday so that families could come to his shop for meals. It was noted that Mr Ur-Rehman was under the impression that he could not open on a Sunday. The Principal Licensing Officer checked his current licence and found that the shop was able to open Monday to Sunday 16:00 until 23:00 for customers to come into the shop and provide orders for delivery until 01:30am on Sunday. On checking the information that Mr Ur-Rehman had with him it was identified that there were inconsistencies with the licensing and planning permissions.

- When Mr Ur-Rehman was asked about the objectors claims that the premises had been opening past the licensable hours, Mr Ur-Rehman said that was the time that the premises was cleaned and that the cleaners would have the lights on, and the doors open to clear the air. He would ensure that the noise was kept to a minimum and only open the rear doors. Mr Ur-Rehman said that the closest neighbours to the premises were elderly and there were families living nearby, but no objections had been received from them.
- It was noted that the premises had seating for a maximum capacity of 13 and the premises also had a toilet for customers in the basement.

Members discussions included:

- The inconsistencies in the planning and licensing permissions and that this should be resolved.
- The removal of alcohol from the licensing permissions was of benefit for the area.
- The extra hours requested would make the business more sustainable.
- Measures suggested by the Police had been complied with.
- Members noted the address of the objector in relation to the location of the premises.

RESOLVED – To grant the variation to the licence as applied for subject to the measures agreed with West Yorkshire Police being incorporated into the operating schedule. The Licensing Sub-Committee suggested an advisory note regarding planning permissions in that the applicant was advised the opening hours under the current planning approval differed to the hours authorised by the premises licence. The applicant was also advised he could trade only in accordance with the most restrictive permission, and he should make enquiries with Planning Services and ensure he complies with planning regulation requirements.

The meeting concluded at 11:20