

Licensing Sub-Committee

Monday, 7th November, 2011

PRESENT: Councillor Hyde in the Chair

Councillors B Gettings and T Hanley

123 Election of the Chair

Councillor Hyde was elected as Chair for the meeting.

124 Declarations of Interest

There were no declarations of interest.

125 "White Swan" - Application to vary an existing Premises Licence in respect of the White Swan, Cross hills, Kippax, LS25 7JP

The application was withdrawn prior to the hearing.

126 "Tesco Stores Ltd" - Application for the grant of a Premises Licence for Tesco Stores Ltd, Bradford Road, East Ardsley WF3 2JA

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy, considered an application for a premises licence for Tesco Stores Ltd, Bradford Road, East Ardsley, Wakefield. The application was for the Sale of Alcohol every day from 06:00 to 00:00 hours. The premises was currently licensed for the Sale of Alcohol from 06:00 to 23:00 hours.

Representations had been made by local residents regarding the application.

The following were present at the hearing:

- Paddy Whur, Representing the Applicant
- Kerry Cooper, Tesco Ltd
- Nicky Britton, Tesco Ltd

Mr Whur addressed the sub-committee and reported that when the previous licence had been applied for, it was an error that it had only been requested till 23:00 hours and they now wished to rectify this to match the opening hours of the store. The new application offered tighter controls with the respect to CCTV coverage and an Incident Report register. Reference was also made to clean up work in the local community arranged and funded by Tesco..

The Sub-Committee carefully considered all the written and verbal submissions and were of the opinion that granting the license would uphold the licensing objectives.

RESOLVED – That the application be granted as applied for.

127 "Jaldi Jaldi" - Application for the grant of a Premises Licence in respect of Jaldi Jaldi, Merrion Centre, 44a Woodhouse Lane, Leeds LS2 8LX

The Sub Committee, having regard to the Licensing Act 2003, the Section 182 Guidance and the Authority's own Statement of Licensing Policy, considered an application for a premises licence for Jaldi Jaldi, 44A Woodhouse Lane, Woodhouse, Leeds, LS2 8LX. The application was to provide Late Night Refreshment on the premises every day between 23:00 and 05:00 hours.

Representations had been made by West Yorkshire Police regarding the application.

The following were in attendance for this item:

- Nizam Nijamudeen, Applicant
- David Smith, representing the Applicant
- PC Cath Arkle, West Yorkshire Police
- Bob Patterson, West Yorkshire Police

Mr Smith addressed the Sub-Committee on behalf of the applicant. It was reported that the Jaldi Jaldi was part of the Mumtaz group and they had run restaurants and the Jaldi Jaldi chain without any problems. The Merrion Street store had been opened in recent weeks on Saturday evenings via the use of Temporary Event Notices (TENs) and there had been no problems reported. The application was made on the submission of certain conditions which included provision of CCTV, contribution to the Street Marshall scheme, having fully trained staff and always ensuring at least two members of staff would be present.

In response to Members comments and questions, the following issues were discussed:

- The premises would offer an alternative to other late night refreshment places, providing a healthy range of Indian food.
- Under the operation of the premises when TENs have been used, it had been closing between 03:30 and 04:00.
- The turnover of the premises had approximately doubled with late night opening.
- There was a small eating in area with 6 stools.

Mr Patterson and PC Arkle addressed the Sub-Committee in relation to the objections registered by West Yorkshire Police. The following issues were highlighted:

- With regards to the Cumulative Impact Policy, it was felt that the license should be refused under the grounds of Crime and Disorder.
- It was recognised that it was difficult for the applicant to demonstrate how their opening would not add to the cumulative impact of such licensed premises in the area.

- The Woodhouse Lane area already had problems with alcohol related crime and violence.
- Late night refreshment premises attracted crowds and could become a flashpoint for alcohol related incidents. People would also congregate in the area longer.
- There had been no indication that there had been a decrease in alcohol related crime in the area.
- Further discussion included reference made to other late night refreshment outlets in the area and the provision of Street Marshalls by these and the use of SIA registered door staff.
- It was recognised that it was a generous offer of Jaldi Jaldi to contribute to the Street Marshall Scheme.

In summary, Mr Smith acknowledged the problems of alcohol related crime in the area and informed the Sub-committee that there would be no sale of alcohol from the premises. He reminded Members of the recent opening under Temporary Event Notices which had passed without problem and felt that the offer of a contribution to the Street Marshall scheme was sufficient to demonstrate a responsible operation that would not add to problems in the area. He also suggested that reduced hours would be sufficient for the application and that the application had been submitted until 05:00 to allow for flexibility.

The Sub-committee carefully considered all the verbal and written submissions and following confirmation from the applicant that they would contribute to the provision of one extra Street Marshall during their hours of operation, it was considered that the applicant had demonstrated that their application would not add to the cumulative impact of such licensed premises in the area by the conditions proposed.

RESOLVED – That the application be granted for Friday and Saturday evenings between 23:00 and 0300 hours with the conditions proposed at Part P of the Application to be implemented into the operating schedule with specific amendments to the conditions to ‘Participate in the local street marshalling scheme on a Friday and Saturday evening’.