

## Licensing Sub-Committee

Monday, 5th November, 2012

**PRESENT:** Councillor B Gettings in the Chair

Councillors T Hanley and B Selby

**86 Election of the Chair**

**RESOLVED** – That Councillor B Gettings be appointed Chair for the hearing.

**87 Declarations of Disclosable Pecuniary and Other Interests**

No declarations were made.

**88 Application to vary a premises licence held by McDonalds Restaurants Ltd, 38 Butt Lane, Farnley, Leeds, LS12 5AZ**

The report of the Head of Licensing and Registration introduced an application to vary a premises licence held by McDonald's Restaurants Ltd, 38 Butt Lane, Farnley, Leeds, LS12 5AZ.

Responsible authorities and Ward Members had been notified of the application and it had attracted representations from other persons and a responsible authority. Prior to the hearing, agreement had been made with the responsible authority that had made a representation.

It was reported that the application requested to vary the hours for the provision of late night refreshment from 23:00 to 05:00 every day.

The applicant's representative addressed the meeting and highlighted the following issues:

- With reference to concerns from a local resident regarding noise, it was reported that there were voluntary conditions to the license regarding this and agreement had been made with environmental protection. Staff would monitor noise levels and signage would be in place to remind customers not to cause a noise disturbance. Members were shown an aerial photograph of the premises and surrounding area which showed the distance from nearby residential properties.
- The car park to the north of the site which was closer to residential properties would not be open between the hours of 23:30 and 05:00 and there would be no deliveries or waste collection between 22:00 and 08:00.
- Concerns regarding anti-social behaviour. There had been no incidents of anti-social behaviour since the last licence was approved and the establishment had a good relationship with local police and police community safety officers. Measures in place to prevent anti-social behaviour included CCTV and training of staff in security and safety matters.
- Concerns regarding vermin and litter – there was no evidence to support these concerns and the restaurant had a code of practice and carried out patrols in respect of litter.

A local Ward Member addressed the hearing on behalf of a local resident who had submitted a representation. He raised the following issues:

- Concerns regarding a beggar who had been outside the premises, these concerns had been discussed with the local PCSO.
- There was often litter strewn across the park area and it also blew over the area by the reservoir.
- Noise disturbance and its potential effect on wildlife at the reservoir. Members were informed that they would not be able to consider this issue as it did not form part of the initial objection.
- Concern that there had been incidents of cannabis smoking in the car park although it was acknowledged that the car park would be closed during the additional hours applied for.
- Concern of increased anti-social behaviour as patrons of a nearby public house would use the premises.
- In response to Members questions, he confirmed that he had witnessed the problems with litter, particularly on windy days and with regards to anti social behaviour that had been reports of people using offensive language.

In summary to the concerns raised, the applicant's representative reported that there were hourly patrols to check for litter and that outside bins were not full. With regards to the potential for anti-social behaviour it was reported that the nearby public house had closed down.

**RESOLVED** – That the application be granted as applied for.