

## **Licensing Sub-Committee**

**Monday, 16th December, 2013**

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

Councillors N Buckley and M Harland

**143 Election of the Chair**

Cllr. Gettings was elected Chair for the duration of the meeting.

**144 Appeals Against Refusal of Inspection of Documents**

There were no appeals against the refusal of inspection of documents.

**145 Exempt Information - Possible Exclusion of the Press and Public**

There were no items of exempt information.

**146 Late Items**

There were no late items. However, there was supplementary information for Agenda Item 9 Nisa Local, 2 Ash Road, Headingley Leeds LS6 3JF. This had been circulated to all interested parties prior to the meeting.

**147 Declarations of Disclosable Pecuniary Interests**

No declarations of interest were made.

**148 Application for the grant of a premises licence for Morrisons 25 - 27 Arndale Centre, Otley Road, Headingley, Leeds, LS6 2UE**

This was an application for the grant of a premises made by W M Morrison Supermarkets PLC, for Morrisons 25-27 Arndale Centre, Otley Road, Headingley, Leeds, LS6 2UE.

The applicant applied for the sale of alcohol off the premises between the hours of 07:00 until 23:00.

There were no representations from responsible authorities. The application had attracted representations from other persons, one letter in support and two letters of objection on the grounds of public nuisance.

Mr Richard Taylor of Gosschalks Solicitors on behalf of W M Morrisons told the Committee Members that the application was for M Local a convenience store with opening hours of 7:00 until 23:00.

The premises is located within the Cumulative Impact area, therefore discussions with West Yorkshire Police have taken place who are agreeable to the hours proposed. The premises' is not alcohol led with the emphasis on fresh produce. WM Morrisons currently have 81 of these types of premises open all have a good track record.

The store will have 20 fully trained staff with 5 managers 1 on site at all times. W M Morrisons have up to present had no prosecutions for under age sales and have a

number of systems in place to ensure that alcohol is not sold to those under the legal age. These systems include electronic prompts on the tills, scanner identification, refusal register, and internal test purchasing. Spirits are kept behind the counter.

Staff are tasked to ensure that the area around the store is clean and litter free at all times. Staff working till 23:30 will clean the area prior to leaving, staff starting at 6:00 will ensure that the area is clean and tidy prior to opening the store. All delivery of goods is to the rear of the premises.

RESOLVED – That Licensing Sub-Committee considered the application taking into account the representations received, W M Morrisons is a company which is well run with professional systems in place which address the concerns raised by the interested parties, and on that basis the Licensing Sub-Committee resolved to grant the licence as per the application.

#### **149 Application for the grant of a premises licence for Nisa Local 2 Ash Road, Headingley, Leeds, LS6 3JF**

This was an application for the grant of a premises licence, made by FS 99LTD, for Nisa Local 2 Ash Road, Headingley, Leeds, LS6 3JF.

The premises are currently trading as a 24 hour convenience store and have been doing so since February 2013. The applicant applied for the sale of alcohol between 05:00 until midnight and late night refreshment between 23:00 until 05:00.

The Committee heard that the convenience store is a family run business with Mr Sajid as the owner and Mr Asif as the DPS. The store sells mainly fresh produce, convenience foods and age related products such as cigarettes and tobacco. Alcohol would be a small but essential part of the business being about 20% of sales.

The store currently has 6 members of staff including 3 family members all have been fully trained by Nisa. The convenience store has CCTV including 2 cameras sited outside the store. The store uses the EPOS refusal system, and Challenge 25, metal shutters will be used to cover the alcohol.

The premises are in a cumulative impact area but are not an alcohol led premises. Late night refreshment will be a Costa coffee machine there will be no seating area.

The vicinity around the store will be kept clean and litter free by staff who are on a rota for this task.

No representations were made by responsible authorities. Cllrs Walker and Walshaw represented the residents from the area. The Committee heard that the Nisa Local is situated in a residential area and there are other stores nearby selling alcohol with the terminal times of 22:00 and 23:00. Members were asked to consider keeping the terminal times for the selling of alcohol in line with the other stores in the area.

The Members were told that the current owner and DPS have been working with the West Yorkshire Police since taking over the premises in January 2013.

RESOLVED – That Licensing Sub-Committee considered the application taking into account the representations received. Nisa Local is already operating 24 hours so the committee did not feel that the selling of alcohol would significantly increase footfall in the area. Nisa Local is a company which is well run with professional systems in place which address the concerns raised by the interested parties, and on that basis the Licensing Sub-Committee resolved to grant the licence as per the application.

**150 Application for the grant of a premises licence for Shell UK Oil Products Limited Shell Garforth West Service Station, Selby Road, Garforth, Leeds, LS25 1LP**

This was an application for the grant of a premises licence, made by Shell Oil Products Limited, for Shell UK Oil Products Limited Shell Garforth West Service Station, Selby Road, Garforth, Leeds, LS25 1LP.

The application was for the sale of alcohol, for consumption off the premises every day between 00:00 to 24:00 and for the provision of late night refreshment every day 23:00 until 05:00. The premises currently open 24 hours.

Mr Ahmed Waseem Saeed intends to be the Designated Premises Supervisor. He is trained and certified through an accredited scheme and is responsible for training all staff utilising the company wide training package and keeping complete training records. The Challenge 25 trading initiative is used supported by the refusal system with records kept in the Refusals Log. There will 8 staff who have worked for a number of years in this business.

The premises has CCTV both inside and outside. All spirits will be kept behind the counter, no single cans of beer, larger, or cider will be sold only multi-packs.

Representations were received from 12 residents, representations from West Yorkshire Police were received but subsequent agreements now mean that this representation has been withdrawn.

The provision of late night refreshment will be hot drinks to be served through a hatch as the door to the premises will be closed from midnight, reopening at 05:00.

Cllr. Dobson attended the meeting, he had been asked to speak on behalf of those making representations from the area.

The Committee heard that Garforth had previously had issues with anti- social behaviour in the area which had now been addressed through conditions applied to premises selling alcohol and set closing times for such premises. The area is now calm and Ward Members and resident's wish for it to remain calm. Concerns had been raised in relation to the premises being open 24 hours and that these premises would be the only premises in this area with this type of licence.

The premises are situated opposite a new housing estate, the area around Selby Road is a heavily built up area, residents highlighted their concerns with noise nuisance with more people coming into the area and with the hours requested for the selling of alcohol.

Mr Corrigan Lockett representing the applicants said that his clients would offer to reduce the hours to 05:00 until midnight.

RESOLVED – That Licensing Sub-Committee considered the application taking into consideration the interests of all parties. The Committee acknowledged that there were no issues with the company or the staff and welcomed the offer of reduced hours 05:00 until midnight on the sale of alcohol. On this basis the Committee resolved to grant the licence as per the application with the conditions proposed and agreed to be incorporated into the operating schedule.

The Committee did request that the applicants be reminded that all licences are monitored.

**151 Application for the grant of a premises licence for Shell UK Oil Products Limited Shell Horsforth, Broadway Ring Road, Low Lane, Horsforth, Leeds, LS18 4DF**

This was an application for the grant of a premises licence for Shell UK Oil Products Limited Shell Horsforth, Broadway Ring Road, Low Lane, Horsforth, Leeds, LS18 4DF.

The application was for the sale of alcohol off the premises and the provision of late night refreshment.

No representations had been received from responsible authorities, some representations had been received from residents and the Horsforth Town Council. One of the residents was in attendance at the meeting.

The site is open 24 hours and operates a closed door policy between the hours of midnight until 05:00 when the doors are opened for deliveries. Late night refreshment will be in the form of a hot drinks machine and will be served through a hatch.

Spirits will be kept behind the counter with beers etc. kept in the chiller cabinet, no single can sales only multi-packs. CCTV is in operation throughout the store and on the forecourt. Shell Horsforth is sited on a main arterial route surrounded by trees with a residential area behind.

Staff at Shell Horsforth have worked there for many years.

The committee heard from the resident who attended that the area already had premises in the area with a licence including the Woodside and Bridge Inn public houses. The resident himself lives in the area and owns a business which holds a licence.

RESOLVED – That the Licensing Sub-Committee considered the application and took into account the representations made. The Committee had been requested to consider on the grounds of need which is not part of the Licensing objectives. Therefore the committee granted the licence as applied for.

Draft minutes to be approved at the meeting  
to be held on Monday, 6th January, 2014