

Licensing Sub-Committee

Tuesday, 29th September, 2015

PRESENT: Councillor M Harland in the Chair

Councillors A Khan and G Wilkinson

60 Election of the Chair

RESOLVED – That Councillor Harland be elected as Chair for the duration of the meeting.

61 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

62 Exempt Information - Possible Exclusion of the Press and Public

There were no exclusions of the press or public.

63 Late Items

There were no late items.

64 Declarations of Disclosable Pecuniary Interests

There were declarations of Disclosable pecuniary interests.

65 Application for the grant of a premises licence for Livera 17 Merrion Street, Leeds, LS2 8JE

The application for the grant of a premises licence for Livera 17 Merrion Street, Leeds, LS2 8JE had been withdrawn prior to the hearing.

66 Application for the Grant of a Premises Licence for Black Swan 37 Call Lane, Leeds, LS1 7BT

The Licensing Sub Committee heard from Rebecca Ingram of Kuits Solicitors who requested an adjournment for the application for the grant of a premises licence for the Black Swan 37 Call Lane, Leeds, LS1 7BT.

Ms Ingram informed the Sub Committee that the applicant Mr Simon Ord had been working closely with Mr Lyons of Kuits Solicitors who unfortunately was able to attend the hearing due to family commitments.

Mr Ord wished Mr Lyons to represent him at the hearing and therefore he was requesting an adjournment.

RESOLVED – That the Licensing Sub Committee and all parties agreed to the adjournment. The application is to be considered at the hearing on 10th November 2015.

67 Application for the Grant of a Premises Licence for Convenience Store/Off Licence 4 Branch Road, Armley, Leeds, LS12 3AQ

The Sub Committee heard an application for the grant of a premises licence made by Mr Ranj Rashid Raza, for Convenience Store / Off Licence, 4 Branch Road, Armley, Leeds, LS12 3AQ.

The application had received representations from other persons and responsible authorities.

The representation received from West Yorkshire Police had been agreed prior to the hearing.

Representation had been received from Councillor Lowe, Armley Ward. Councillors J McKenna and Smart were in attendance at the hearing along with Jake Kelly representing Rachel Reeves MP.

The Licensing Officer informed the Committee that the premises had previously held a licence as Neli's Bar and prior to that had been an adult gaming centre. The applicant Mr Ranj Rashid Raza has no association with the previous owner. The proposed designated premises supervisor is Dara Ali Goran.

Mr Ranj Rashid Raza was represented at the hearing by Mr Sina.

Mr Sina informed the Members that his client was a young entrepreneur originally from Iraq. Mr Raza already holds a premises licence for a business at 305 Dewsbury Road.

At the 305 Dewsbury Road premises Mr Raza uses CCTV, holding records for the required 30 days which are available to the local police. He also uses 'Check 25'. Members were informed that Mr Raza would use the same at the premises located at 4 Branch Road and staff would receive training to address the enforcement of 'Check 25'.

The Licensing Sub Committee was asked to consider for approval the sale of alcohol between 9:00am and 23:00. Members were informed that the store would sell continental foods with alcohol as a secondary trade approximately 5%.

Members were informed that measures on page 91 of the agenda were only issued for guidance purposes the applicant is not required to tick the boxes.

Mr Sina informed the Committee that Mr Raza proposes to replicate the business on Dewsbury Road selling wines, beers and spirits.

One Member of the Committee told how he had witnessed street drinking in the Armley area recently. Members enquired if the applicant would agree to no single cans, bottles or high strength beers and ciders.

Mr Sina said that his client would be amenable to any conditions imposed.

Councillor Lowe addressed the Committee informing them that this was not personal to the applicant and explained that Armley is a deprived area with a different demographic make up to Dewsbury Road.

Councillor Lowe informed the Members that the 'Check 25' would have no impact as most of the street drinkers on Armley Town Street were aged between 40-60 years old and lived an itinerant lifestyle. Armley Town Street is surrounded by residential properties including houses in multiple occupation who suffer crime and anti-social behaviour related to the consumption of alcohol.

Members were informed of specific issues of the Armley area which include high rates of domestic violence and suicides.

Members were also told of a survey undertaken over the summer by ward members and the local MP after a number of complaints in regard to street drinkers.

The ward members welcomed opportunities for the creation of jobs in Armley. However, they were of the view that a store of this size would survive without the benefit of a premises licence.

Mr Sina reiterated that his client was a young entrepreneur who would abide by the laws and would be amenable to any restrictions imposed.

RESOLVED – That the Licensing Sub Committee having carefully considered this difficult application, the Sub Committee is required to act in accordance with the terms of the Licensing Act 2003.

The Members noted and sympathised with the issues of street drinking. However, the Licensing Sub Committee was minded to grant the premises licence with conditions.

The conditions as set out at page 91 of the agenda less Check 25 as this had already been offered by the applicant.

Members also required that the licence be conditioned such that;

- only multipacks to be sold and no sales of single bottles or cans
- sale of alcohol only be permitted between 9:00am -20:00 everyday