

## **Licensing Sub-Committee**

**Tuesday, 26th February, 2019**

**PRESENT:** Councillor M Harland in the Chair

Councillors G Harper and C Knight

### **1 Election of the Chair**

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

### **2 Late Items**

There were no late items. Supplementary information had been published for Agenda Item 6 – Application for the grant of a Premises Licence for Heron Foods, 25 Town Street, Armley, Leeds, LS12 1UX

### **3 Declarations of Disclosable Pecuniary Interests**

There were no declarations.

### **4 Application for the grant of a premises licence for Heron Foods, 25 Town Street, Armley, Leeds, LS12 1UX**

The report of the Chief Officer, Elections and Regulatory presented an application for the grant of a premises licence at Heron Foods, 25 Town Street, Armley, Leeds, LS12 1UX.

The following were in attendance:

Mr P Whur – Woods Whur

Mr J Laverack – Heron Foods

Ms C Collingwood – Heron Foods

Councillor J McKenna – Armley Ward Councillor

Councillor A Lowe – Armley Ward Councillor

Ms L Cunningham – representing Councillor A Smart, Armley Ward Councillor

Mr P Mudge – Leeds City Council – Armley Town Centre Management

Sarah Blenkhorn – West Yorkshire Police

Susan Holden – Licensing Authority

The Legal Officer explained the procedures to be followed and the application was introduced by the Licensing Officer. It was reported that the application was for a Premises Licence for the sale of alcohol between the hours of 08.00 and 19.00 Monday to Saturday and 10.00 to 16.00 on a Sunday. The application had received representations from West Yorkshire Police, the Licensing Authority, Ward Councillors, the local Member of Parliament and local residents. The premises fell within the Cumulative Impact Area for Armley.

Mr Whur addressed the Sub-Committee on behalf of the applicant. Issues highlighted included the following:

- Reference was made to the statutory guidance and circumstances where licenses could be granted in cumulative impact areas.

- With reference to issues highlighted in the report that contributed to problems in the Cumulative Impact Area, Mr Whur informed the sub-committee that the proposed style of operation would not add to these. There would not be offers for strong cheap alcohol.
- The company operated 280 stores nationwide and had commenced with alcohol sales in 57 of these stores over the past year. Two of these had been in premises situated in cumulative impact areas and there had not been any issues at either of these stores.
- The store mainly sold frozen and chilled products and had a strong local customer base with repeat customers. There would only be a modest range of alcohol offered. Other premises that sold alcohol in the area had much different styles of operation.
- The West Yorkshire Police representation made reference to the sale of strong and cheap alcohol. There would be no stock of that nature. The strongest beer or cider would be 6.5% proof, there would be no sales of spirits and no sales of single units or bottles.
- There would only be 35 alcohol products on offer amongst a range of over 1,200 food products.
- The style of operation at the store should not preclude the sale of alcohol. The style of the store and products would not attract problem drinkers. Security guards would be present from 11:00 to 19:30 and there would always be a manager present when there was no security present. Staff would be fully trained in the sale of alcohol and the Challenge 25 scheme would be in operation. There would also be emergency buttons placed at tills and all staff would have headphone communication sets. The alcohol available would be placed next to the supervision of the tills.
- The premises and company had strong community links and reference was made to community projects and charitable events the company had been involved in.
- The store attracted over 5,500 visits per week and the proposals would give opportunity to purchase alcohol as part of convenience shopping.
- The sub-committee was asked to consider the different way the premises were managed, the customer base and small range of alcohol when reaching their decision.

In response to questions from the Panel, the following was discussed:

- There would be no beer or cider above 6% alcohol. There would be wines on offer but no spirits.
- The premises already had a respectful customer base and anyone who was under the influence of alcohol would not be allowed in.
- There had not been any previous instances of crime and disorder connected to the premises.
- The premises had been open since 2013. The decision to sell alcohol had been in line with what the company was doing nationally and to meet customer requirements.
- The pricing and product range was not attractive to those who could buy stronger and cheaper alcohol elsewhere and there would not be discounted alcohol for sale.

- Alcohol sales would be aimed to complement food purchases.

The West Yorkshire Police representative addressed the Sub-Committee. The following was highlighted:

- Armley was an area with high levels of deprivations, low health, disorder and reduced life expectancy. The proposals did not fit in with Leeds City Council's vision. In 2016 the area was identified for anti-social behaviour due to groups of men congregating and drinking in the street.
- There had been a rise in alcohol related crime and disorder in Armley over the past twelve months. The most common relating to violence and domestic violence.
- Alcohol related nuisance was a problem on Armley Town Street. Residents felt intimidated by this.
- Anti-social behaviour was prevalent during the afternoon when the school run was taking place. This did not meet licensing objectives in relation to the protection of children from harm.
- Stopping sale of alcohol at 19:00 would not reduce anti-social behaviour.
- There were already 17 licensed premises within a 7 minute walk of the store.
- The Police view was to prevent crime and protect people which is why the area was covered by the Cumulative Impact Policy.
- There was no need for another licensed premises in the area and the conditions offered were very basic and it was not felt that they would assist with tackling the problems in the area.
- Attention was brought to the latest crime figures for the area.

The Sub-Committee also heard from the Licensing Authority Representative. Reference was made to the Cumulative Impact Policy and the problems that had been encountered in Armley and led to the designation of the Cumulative Impact Area.

Local Ward Councillors and their representatives addressed the Sub-Committee with concerns and objections to the application. These included the following:

- Problem drinkers in Armley would attempt to buy alcohol from anywhere.
- There were constantly small groups of drinkers causing excessive nuisance.
- Granting of the application would be against Leeds's ambition to be a best city for health and wellbeing and was also contradictory to other strategies.
- There were two schools and a nursery close to the store. This application did not support the priority to protect children.
- There were already 18 licensed premises on Armley Town Street. There was no need for anymore.
- Armley was one of the most deprived areas in Leeds and had problems with alcohol, domestic violence and poor health.
- The applicant had not contributed to community projects in the area.
- Other Heron Food stores in Leeds did not sell alcohol so why was there a need to here?

- Other areas where Heron Food stores had a licence did not have the same problems as those in Armley.
- Anti-social behaviour and crime problems in the area were alcohol related.
- There were lots of local people with alcohol dependency problems.
- Although the strongest alcohol proposed for sale was 6.5% proof this was far stronger than regular beer drinks.
- The Town Centre Manager had asked the applicant not to pursue a licence for the sale of alcohol.
- The store was successful without the sale of alcohol.
- Instances of vandalism in Armley Town Street.
- People felt afraid to do their shopping on Armley Town Street due to the problems.

At this stage of the hearing, the applicant's representative informed the Sub-Committee that the applicant wished to withdraw the application.