

Application for new premises licence – Morrisons, 4 Otley Road, Headingley, Leeds

Hours applied for:

Alcohol sales in store:

- Monday to Friday - 07:00 to 23:00
- Saturday & Sunday 07:00 to 13:00 and 18:00 to 22:00

Opening hours & delivery of alcohol

- Opening hours and delivery of alcohol - Monday to Sunday 07:00 to 23:00

In preparing this application, the Cumulative Impact Assessment for the area of Headingley and the negative impact of the Otley Run **has been considered in detail**. The potential impact of this licence has been considered within that context and the hours proposed and steps that will be taken to promote the licensing objectives have been formulated directly with that in mind.

Consultation

That process has involved pre-consultation with the police, officer for the licensing authority and EH, who expressed the hours they would agree as follows:

- Hours for delivery of alcohol & store opening - Monday to Sunday - 0700-2300
- Alcohol sales in store - Monday to Thursday - 07:00 to 23:00 (Based on low risk from the Otley Run)
- Alcohol sales in store - Friday to Sunday - 07:00 to 12:00 (Based on low risk from the Otley Run)

Reason for the additional hours

The applicant is very grateful for the approach shown by the authorities and their consideration of this application on its own merits. But the applicant has chosen to extend the application beyond the hours proposed by the authorities as their approach does not reflect the Cumulative Impact Assessment which is very clear about when the peak times are.

The justification for this amended approach has been taken from the following excerpts of the policy:

CIA for Headingly

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The Headingly cumulative impact area is mainly concerned with the sale of alcohol for consumption on the premises, including premises such as, but not limited to, bars, pubs, late opening restaurants etc.

The Police statistics show that the peak period for assault is 1pm to 6pm on Saturday & Sunday along Otley Road and North Lane. This could be indicative of the popularity of the 'Otley Run' which is a popular unorganised pub crawl which takes in the licensed premises along Otley Road.

The impact on residents has become severe with the Ward Councillors reporting an increase in fear of crime and antisocial behaviour amongst residents **who are no longer able to enjoy the area on the weekend.**

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Geo Spatial Analysis for three-year period 01/09/16-31/08/19

Assaults

Sep 16-Aug 19

Peak Time: 13:00-18:00

Risk days: Saturday & Sunday

Top Streets: Otley Road, North Lane

Drunk & Disorderly

Peak Time: 01:00 – 03:00

Risk days: Saturday & Sunday

Top Streets: Otley Road

Alcohol Nuisance

Peak Time: 22:00-00:00

Risk days: Saturday & Sunday

Top Streets: North Lane, Otley Road,
St Michaels Road

Nuisance

Peak Time: 21:00-00:00

Risk days: Thursday, Saturday

Top Streets: Otley Road, North Lane, St Michaels Road

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The current policy in this area is that it would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation applications for any premises licence (on sales, off sales and late-night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for Headingley.

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The assessment in this area relates to all applications whose licensable activities fall within the peak times of 13:00 to 18:00 and 22:00 to 03:00 or, to any application that may encourage participation in the Otley Run. Any application can expect to receive representations from West Yorkshire Police and the Licensing Authority, and applicants should consider potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.

Conclusion

Having been published in 2023, the policy is very recent assessment of the area and the specific issues.

The 'Geo Spatial Analysis' makes it clear that the risk days for assaults, drunk & disorderly & alcohol nuisance are Saturday & Sunday, risk days for general nuisance are Thursday & Saturday.

Fridays are NOT referred to as a day where there is high risk.

This being the case, there is no presumption of refusal of this application, the default position is that these hours should be granted to the applicant. Based on the council's own detailed assessment, it is reasonable to conclude that Friday should not form part of the restriction on hours.

Conditions

The applicant fully appreciates the need for robust conditions to be included in this licence if granted. Within the conditions that have been volunteered, the applicant addresses the practical issues of making customers aware that alcohol will not be available in the middle of the day on Saturday & Sunday, to ensure there are no issues (these very robust conditions can be seen at 7 & 8).

The conditions volunteered at this point are a starting point and the applicant fully expects to agree police wording for certain conditions such as CCTV and agree others to address concerns.

Conditions

1. On Saturday & Sunday, the sale of alcohol from the store will be restricted to 07:00 to 13:00 and 18:00 to 22:00
2. Between 13:00 and 18:00 on Saturday & Sunday (when alcohol sales are not permitted), all alcohol will be kept behind locked cabinets or located within a locked "beer cave" type area.
3. Between 13:00 and 18:00 on Saturday & Sunday (when alcohol sales are not permitted), in addition to the above, very prominent signage will be displayed directly on the locations where alcohol is usually displayed for sale indicating the times for sale on that day.
4. On first appointment, all staff employed at the premises will receive training on the Licensing Act 2003 including input on preventing underage sales, preventing sales of alcohol to people who are drunk and any other relevant matters. Training shall be regularly refreshed at no less than annual intervals. The training must be recorded and be accessible on the premises and made available for inspection upon request of a Police Officer or an authorised officer of a Responsible Authority or (in the case of online training) within 48 hours.
5. A CCTV system will be in operation at the premises and recorded images shall be retained for a period of 31 days. CCTV images will be provided to the police and other responsible authorities as soon as practicable and in any case within 48 hours of a request for such images, subject of the provisions of the DPA.
6. An incident register will be maintained at the premises and made available to the authorities on request.
7. A register of refusals of alcohol will be maintained at the premises. The register will be made available for inspection by the Police and an authorised officer of a Responsible Authority.
8. Notices will be displayed at the entrance/exit to the premises asking customers to leave the store quietly and respect local residents.
9. The premises will adopt a 'Challenge 25' policy. This means that if a customer purchasing alcohol appears to be under the age of 25, they will be asked for proof of their age, to prove that they are 18 years or older.