

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: 18th August 2014**

**Subject: Application for the grant of a premises licence in respect of Importation  
31, 197 Chapeltown Road, Chapeltown, Leeds, LS7 3DX.**

|   |   |  |
|---|---|--|
| Are specific electoral Wards affected?  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| If relevant, name(s) of Ward(s):  | Chapel Allerton                         |  |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information?                     | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| If relevant, Access to Information Procedure Rule number:                       |   |  |
| Appendix number:  |   |  |

**Summary of main issues**

This is an application for the grant of a premises licence, made by Importations 31 Ltd, 197 Chapeltown Road, Chapeltown, Leeds, LS7 3DX.

A full description of the application may be found at 3.3 of this report.

Responsible authorities and Ward Members have been notified of this application.

The application has attracted representations from other persons and responsible authorities.

**1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

**2.0 History of Premises**

- 2.1 This is the first application for a premises licence.

### **3.0 The Application**

3.1 The applicant is Importations 31 Ltd,

3.2 The application form may be found at Appendix A to this report.

3.3 In summary the application is for

Sale by retail of alcohol for sale off the premises.

Monday to Friday            11:00 – 23:00

Saturday and Sunday      14:00 – 02:00

### **4.0 Other matters relevant to the application**

4.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

### **5.0 Steps to promote the Licensing Objectives**

5.1 The applicant proposes to take specific steps to promote the licensing objectives identified in section “M” of the application form.

5.2 And

5.3 The applicant also proposes to take steps identified in the Pro-forma Risk Assessment; a copy of which may be found at Appendix B.

### **6.0 Proposed Designated Premises Supervisor**

6.1 Mr Nguenkam Tchekwa intends to be the Designated Premises Supervisor.

### **7.0 Licensing Hours**

7.1 Members are directed to paragraphs 6.8 to 6.15 for the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.

7.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

7.3 A list of premises in the local area and their licensed hours and activities is provided at appendix C.

## **8.0 Location**

8.1 A map which identifies the location of this premise is attached at Appendix D.

## **9.0 Representations**

9.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

### **9.2 Representations from Responsible Authorities**

9.2.1 A representation has been received from West Yorkshire Police in their capacity as a responsible authority. This remains as a matter for Members consideration. A copy of the same may be found at Appendix E.

### **9.3 Other representations**

9.3.1 The application has attracted a representation from other persons.

9.3.2 The licensing section is in receipt of one individual letter of objection. This is opposed to this application on the grounds of crime and disorder. A copy of the same may be found at Appendix F.

## **10.0 Options Available to Members**

10.1 The licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.

10.2 Members of the licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

## **11.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy