

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 9th February 2015

**Subject: Application for the grant of a premises licence for Off Licence 51
Monkwood Drive, Seacroft, Leeds, LS14 1DW**

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|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): | Killingbeck & Seacroft | |
| 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 Kawal Singh Chahal, for Off Licence 51 Monkwood Drive, Seacroft, Leeds, LS14 1DW.

The application is made for a proposed a general convenience store with the sole licensable provision of retail by sale of alcohol for consumption off the premises, the hours of which can be noted at 3.3 of this report.

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

The application has attracted a single representation from a local resident, expressing their concerns over the likelihood that granting this application will add to the noise nuisance and anti-social behavior that is already being experienced in this area.

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 Mr Kawal Singh Chahal,
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for

Supply of alcohol for consumption off the premises only

07:00 until 22:00 hrs Everyday

Times when the premises will be open to the public:

07:00 until 22:00 hrs Everyday

Non Standard Timings:

No non-standard timings for bank holidays or special occasions are proposed.

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 identified in section "M" of the application form to promote the licensing objectives. The application refers to codes extracted from the Pro-Forma Risk Assessment, a copy of which will be available on the day of the hearing for Members to refer to.

6.0 Proposed Designated Premises Supervisor

- 6.1 Mr Lakvir Singh Chahal intends to be the Designated Premises Supervisor once he has obtained his personal licence.

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 B.

8.0 Location

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

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 There have been no representations from responsible authorities.
- 9.3 Other representations
- 9.3.1 The application has attracted representations from other persons.
- 9.3.2 The licensing section is in receipt of a single representation that opposes the application on the grounds of the prevention of crime & disorder and the prevention of public nuisance.
- 9.3.3 Member's attention is drawn to a redacted copy of this representation at Appendix D of this report.

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
- Representations received from other persons