



## Report of Head of Elections, Licensing and Registration

**Report to** Licensing Sub Committee

**Date:** 5<sup>th</sup> December 2017

**Subject:** Application for the grant of a premises licence for Restaurant/Cafe 5  
Briggate, Leeds, LS1 3LZ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Holbeck	
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 Mr Mahboob Hussain, for Restaurant/Café, 5 Briggate, Leeds, LS1 3LZ

The application has attracted representations from Responsible Authorities.

The application has been adjourned from a previous meeting of the Licensing Sub Committee to allow the Applicant to provide submission in response to the Council's Statement of Licensing Policy, in particular the Cumulative Impact Policy relevant to the City Centre and the associated City Centre Cumulative Impact Assessment.

## 1 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 new premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations and subsequent submissions from the Applicant and Responsible Authorities.

## 2 The application

- 2.1 The applicant is made by Mr Mahboob Hussain.
- 2.2 In summary the application is for:

*Late night refreshment Activity  
Every Day - 23:00hrs until 04:00hrs*

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

- 2.2 Members are requested to refer to Appendix 1 that contains the full report presented to the Licensing Committee on the 10 October 2017. The report comprises of:

Appendix A – Operating Schedule

Appendix B – Location Map

Appendix C – Representations from Responsible Authorities: West Yorkshire Police, Environmental Health and the Licensing Authority.

Appendix D - Details of the cumulative impact policy specific to Leeds City Centre

Appendix E - A list of premises in the local area

- 2.3 At the Licensing Sub Committee meeting on 10<sup>th</sup> October 2017, Members heard from the Applicant's representative. In submissions, the Applicant's representative challenged aspects of the Council's Statement of Licensing Policy.
- 2.4 Following an adjournment to consider the comments of the applicant's representative and the Responsible Authorities the Licensing Sub Committee decided to adjourn the hearing until Tuesday 5 December 2017. The Licensing Sub Committee directed that:

1. No later than 25 October the Applicant to set out in writing the full basis of the challenge to the Council's Cumulative Impact Policy and for this to be served on all Responsible Authorities
2. No later than 8 November the Responsible Authorities to respond in writing to the Applicant's letter.
- 2.5 A copy of the decision letter from the meeting on 10 October 2017 may be found at Appendix 2 to this report.
- 2.6 The submissions by the Applicant maybe found at Appendix 3.
- 2.7 Responses to the Applicant's submission from Environment Protection Team may be found at Appendix 4.
- 2.8 Responses to the Applicant's submission from Entertainment Licensing & West Yorkshire Police will follow as supplementary information – Appendix 5 & Appendix 6 respectively.

### **3 Options available to Members**

- 3.1 Members are requested to note the Applicant's submission and the responses received from the Responsible Authorities.
- 3.2 In considering this application 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.
  - Exclude any licensable activities to which the application relates.
  - Refuse to specify the said person as the designated premises supervisor.
  - Reject the whole or part of the application.
- 3.3 Members of the Licensing Sub Committee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

### **4 Equality and diversity implications**

- 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 Background papers**

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