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**Report of the Director of Legal and Democratic Services**

**Licensing Committee**

**Date: 2 December 2008**

**Subject: Narinda Singh Gill proposed off-licence at 20 Springmead Drive, Garforth, Leeds LS25 1JW – appeal against Licensing Committee decision on application for a review of the premises licence**

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**Electoral wards affected:**

Garforth and Swillington

**Specific implications for:**

Ethnic minorities

Women

Disabled people

Narrowing the gap

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**Executive Summary**

1. This Report advises Members of the result of an Appeal by Narinder Singh Gill in respect of a proposed off-licence at 20 Springmead Drive, Garforth, Leeds against a decision of the Licensing Committee sitting on 19<sup>th</sup> May 2008. The original hearing took place following an application for a premises licence made by Mr Gill. After considering the evidence from the West Yorkshire Police, Councilor Dobson, local residents and Mr Wells (solicitor for Mr Gill) and Mr Gill the Sub-Committee decided not to grant a premises licence. Mr Gill appealed against that decision.

**1.0 Purpose of this report**

- 1.1 The purpose of this Report is to advise Members of the result of this appeal.

**2.0 Background information**

2.1 Members are advised that an appeal was lodged with the Leeds Magistrate's Court but there was no appeal hearing as the appeal was withdrawn on 21 October 2008.

### **3.0 Main issues**

3.1 The appeal was withdrawn at a Case Management Hearing held at the Leeds Magistrate's Court on 21<sup>st</sup> October 2008. The reasons given were the large number of objections from local residents but in particular a statement from the West Yorkshire Police. The Council applied for their costs but the court has a discretion with regard to the award of costs and exercised that discretion by making no order for costs.

### **4.0 Implications for Council Policy and Governance**

4.1 No significant implications identified.

### **5.0 Legal and Resource Implications**

5.1 No order in respect of the appellant's or respondent's costs was made by the court. Therefore the Council will have to pay its own in house legal costs.

### **6.0 Conclusions**

6.1 Members are asked to note this information.

### **7.0 Recommendations**

7.1 That Members note the contents of this Report.