

Report of the Head of Licensing and Registration Service

Report to the Licensing Sub Committee

Date: 6th June 2011

Subject: Application for the Grant of a premises licence for Off Licence, 31 North Lane, Headingley, Leeds, LS6 3HW

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Does the report contain information which has been identified as confidential or exempt?

Yes (if exempt, please see the public interest test in section 4)

Relevant section of the report:

In accordance with Access to Information Procedure Rule:

No, this report does not contain information identified as confidential or exempt.

Is the decision eligible for call-in? **Yes** **No – exempt** **Not applicable**

Summary of main issues and corporate governance considerations

This report informs members of an application for the grant of a premises licence for premises situated at 31 North Lane, Headingley, Leeds, LS6 3HW, trading as Off Licence.

This is an application for a premises licence which wishes to provide the sale of alcohol for consumption off the premises. The premises' proposal is to trade as a shop selling drinks, snacks and non perishable goods.

The premises are located within an area covered by a Cumulative Impact Policy.

The responsible authorities are served with copies of the application by the applicant and Ward Members have been notified of the application.

Recommendations

The committee is asked to:

1. Consider the application and any relevant representations.
2. Take any of the steps detailed at 6, if any, they consider necessary for the promotion of the licensing objectives.

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 premises licence in respect of the above mentioned premises.
- 1.2 The Committee is required to consider this application due to the receipt of representations.

2 History of the Premises

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

3 The Application

- 3.1 The applicant is Mr Bradley Philip Jewitt,
- 3.2 The location of the premises can be found on the map attached as Appendix A.
- 3.3 A copy of the application is attached as Appendix B to this report. For the assistance of members, the operating schedule shows:

3.3.1 Proposed licensable activities

Sale by retail of alcohol

3.3.2 Proposed hours of licensable activities

The proposed hours of licensable activities are as follows:

Sale by retail of alcohol	
Every Day	11:00 - 00:00

3.3.3 Proposed times when the premises is open to the public

Everyday	11:00 - 00:00
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3.3.4 Steps to promote the licensing objectives

The applicant proposes to take the steps identified in section "P" of the application form to promote the licensing objectives.

3.3.5 Proposed Designated Premises Supervisor

Mr Bradley Phillip Jewitt is nominated as the designated premises supervisor.

4 Relevant Representations

- 4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.

- 4.2 Representations have been received from interested parties. Members are invited to consider Appendix C of this report.
- 4.3 Any representations submitted may be agreed prior to a hearing. In this instance the operating schedule has been amended to include agreed measures with the following responsible authorities:

West Yorkshire Police

Members are invited to consider Appendix D of this report.

5 Matters relevant to the application

- 5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the licensing objectives which are:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 5.2 In the making of their decision Members are obliged to have regard to the national guidance and the council's licensing policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.
- 5.3 Members should note that these premises fall within a cumulative impact area. The cumulative impact policy for this area reads as follows:
- 5.4 It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 2 for alcohol led premises such as bars, pubs and nightclubs and for premises seeking late night refreshment such as takeaways and late opening restaurants, unless the applicant can demonstrate that their application would not add to the cumulative impact of such licensed premises in the area.

6 Options available to members

- 6.1 The licensing sub-committee must take such of the following steps as it considers necessary 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.
- 6.2 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 necessary in order to promote the licensing objectives.

7 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council statement of licensing policy