

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 5th March 2012

**Subject: Application for the grant of a premises licence for East African Centre 11A
Cherry Row, Burmantofts, Leeds, LS9 7LY**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Hunslet	
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 for East African Centre 11A Cherry Row, Burmantofts, Leeds, LS9 7LY

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

The application is for the provision of Recorded Music, Facilities for Making Music, Facilities for Dancing, Sale by Retail of Alcohol and Late Night Refreshment. The opening hours and days are detailed in 3.3.1

The application has attracted representations from interested parties 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 for these premises

2.2 Enforcement Issues

2.3 Following the receipt of a complaint regarding potential unauthorised licensable activities at these Premises. A member of the Entertainment Licensing Enforcement visited these Premises and at the time found that there were no unauthorised activities taking place. However after speaking further with Mr Zeray the activities they were wishing to carry out were licensable. He was advised that they would be required to apply under the Licensing Act (2003) for a Premises Licence

3.0 The Application

3.1 The applicant is Mr Sultan Mesgna and Mr Tsehaye Zeray,

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

3.3 In summary the application is for

3.3.1 Recorded Music, Facilities for Making Music, Facilities for Dancing, Sale by Retail of Alcohol for consumption off the premises

Sun – Thurs	10:00 – 23:30
Fri	10:00 – 03:00
Sat	10:00 – 04:00

Late Night Refreshment

Sun – Thurs	23:00 – 23:30
Fri	23:00 – 03:00
Sat	23:00 – 04:00

3.3.2 Times when the Premises will be open to the public

Sun – Thurs	10:00 – 23:30
Fri	10:00 – 03:00
Sat	10:00 – 04:00

Non Standard Timings Sunday Bank Holiday weekends 10:00 to 03:00.

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 the steps identified in section “P” of the application form to promote the licensing objectives

6.0 Proposed Designated Premises Supervisor

6.1 Tesfay Berhane intends to be the Designated Premises Supervisor.

7.0 Location

7.1 A map which identifies the location of this premise is attached at Appendix B.

8.0 Representations

8.1 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.

8.2 Representations from Responsible Authorities

8.3 West Yorkshire Police

A representation has been received from West Yorkshire Police. Members attention is drawn to Appendix C

8.4 Planning Service

A full objection has been received from the Planning Services. Members attention is drawn to Appendix D

8.5 Health and Safety

A representation has been received from Health and Safety. Members attention is drawn to Appendix E

8.6 Environmental Protection Team

A representation has been received from Environmental Protection Team. Members attention is drawn to Appendix F

8.7 Representations from Interested parties

8.7.1 The application has attracted representations from interested parties

8.7.2 The Licensing Section is in receipt of a letter from a resident and a petition. They are on the grounds of Noise Nuisance and Crime and Disorder.

8.7.3 A representation has been received from Councillor Pryke. Members attention is drawn to Appendix G

8.7.4 Councillor Pryke will also be representing residents at the hearing.

8.7.5 Copies of the representations will be available at the hearing for Members consideration.

9.0 Options Available to Members

9.1 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.

9.2 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.

10.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Interested Parties