

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: 12th March 2012**

**Subject: Application for the grant of a premises licence for Ephesus Restaurant 4 Rodley Lane, Rodley, Leeds, LS13 1HU**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Calverley & Farsley	
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 Ephesus Restaurant, 4 Rodley Lane, Rodley, Leeds, LS13 1HU

The applicant has applied for the following licensable activities.

- a) Supply of alcohol – for consumption “On” the premises.
- b) Recorded Music – Indoors

For the days and hours listed at 3.3

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

The application has attracted representations from interested parties and responsible authorities.

**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 at these premises.

## **3.0 The Application**

3.1 The applicant is Kadir Kayalar,

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 “On” the premises  
Tuesday to Sunday 17:00 to 23:00

Recorded Music – Indoors  
Tuesday to Sunday 17:00 to 23:00

Times when the premises will be open to the public  
Tuesday to Sunday 17:00 to 23:00

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 It should be noted that plans provided with the application indicate that an outside decking area, with 4 tables, will also be used.

4.2 Photographs of the interior/exterior of the premises have been supplied by the applicant and will be available at the hearing for Members consideration.

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

5.2 The applicant further proposes to take specific steps to promote the licensing objectives identified in the Pro-Forma Risk Assessment ; a copy of which may be found at Appendix A

## **6.0 Proposed Designated Premises Supervisor**

6.1 Kadir Kayalar 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**

8.2.1 Representations have been received from Responsible Authorities.

Any representation received may be agreed prior to a hearing. In this instance the operating schedule has been amended to include measures agreed with the following Responsible Authorities:-

West Yorkshire Police – See Appendix C

Leeds City Council Health & Safety – See Appendix D

Leeds City Council Environmental Protection Team – See Appendix E

### **8.3 Representations from Interested parties**

8.3.1 The application has attracted a representation from an interested party

8.3.2 The objection is against the creation of another wine bar type of restaurant, public nuisance being caused by extra noise from diners being outside whilst consuming alcohol/smoking and problems caused by there being no parking facilities. There are also concerns regarding the provision of the outdoor decking.

8.3.3 A copy of the representation 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
- Representation received from Interested Parties