

Report author: Mr Barry Glover

0113 2474095

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 23rd April 2012

Subject: Application for the grant of a premises licence for Frontier Sales Limited

173 - 179 New Road Side, Horsforth, Leeds, LS18 4DR

Are specific electoral Wards affected?		☐ No
If relevant, name(s) of Ward(s): Horsforth		
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	⊠ No
Is the decision eligible for Call-In?	☐ Yes	⊠ No
Does the report contain confidential or exempt information?	☐ Yes	⊠ 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 Frontier Sales Limited 173 -179 New Road Side, Horsforth, Leeds, LS18 4DR

The applicant has applied for the following licensable activities.

a) Supply of alcohol – for consumption "Off" the premises.

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.

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

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 at these premises

3.0 The Application

- 3.1 The applicant is George Hulbert
- 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 "OFF" the premises

Every Day 05:00 to 23:00

Times when the premises will be open to the public

Every Day 05:00 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 In response to clarification being sought from the applicant as to the nature of the business and proposed hours of operation the applicant has advised that many other products besides alcohol are being sold at the shop. The shop has been set up as a country store so items such as freezer foods, fruit/vegetables, clothes. Gifts, and other food stuffs will be sold.

This is why the applicant has applied for the hours indicated in that some community members may shop early in the morning or later in the evening.

4.2 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 21 of the application form.

6.0 Proposed Designated Premises Supervisor

6.1 Mr Edwin Soulsby 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 Cumulative Impact Policy

8.1 Although the premises are situated in the area covered by the Horsforth Cumulative Impact Policy the policy itself states:-

"It is the council's policy, on receipt of relevant representations, to refuse new and variation applications in Area 5 for licences for pubs, clubs, café bars, restaurants and takeaways, unless the applicant can demonstrate that their application would not impact on the cumulative effect of such licensed premises in the area".

Therefore applications for the grant of a premises licence relating to "Off" sales only are not covered by the policy

9.0 Representations

- 9.1 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.
- 9.2 Representations from Responsible Authorities
- 9.2.1 Representations have been received from West Yorkshire Police and Environmental Protection Team in their capacities as Responsible Authorities
- 9.2.2 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 Authority:-

West Yorkshire Police - See Appendix C

The representation submitted by Environmental Protection Team remains as a matter for members consideration:-

Environmental Protection Team – See Appendix D

9.3 Representations from Interested parties

9.3.1 The application has attracted representations from interested parties:-

Mr T Ferry - Horsforth Town Council - See Appendix E

Cllr C Townsley – Elected Member – See Appendix F

10.0 Options Available to Members

- 10.1 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.
 - Refuse to specify the said person as the designated premises supervisor.
 - Reject the whole of the application.
- 10.2 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.

11.0 Background Papers

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