

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

**Report to the Licensing Sub Committee**

**Date: 21st May 2012**

**Subject: Application for the grant of a premises licence for Fresh Munch 43 Wade Lane, Leeds, LS2 8NJ**

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 Fresh Munch 43 Wade Lane, Leeds, LS2 8NJ.

The application is for late night refreshment. Full details of the activities and hours can be seen at 3.3 of this report.

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

The application has attracted representations from 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 The premises were previously licensed under the Licensing Act 2003, and the premises were known as Merrion Deli. The activities and hours were:

Late night refreshment every day 23:00 until 04:00 am.

The premises licence was surrendered in July 2008.

## **3.0 The Application**

- 3.1 The applicant is Mr Saqib Hussain,
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for:

Late night refreshment  
Everyday 23:00 until 04:00 am

Non Standard Timings:

Boxing Day 23:00 until 05:00  
New Years Eve 23:00 until 05:00

## **4.0 Other matters relevant to the application**

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.

## **6.0 Location**

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

## **7.0 Cumulative Impact Policy**

7.1 The premises are located within the Cumulative Impact Area 1.

7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

7.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify through the risk assessment process and/or operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

7.4 Details of the Cumulative Impact Policy specific to Area 1 and an outline of the evidence behind the reason for setting this Policy is attached at Appendix C.

## **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 West Yorkshire Police and Environmental Protection Team in their capacity as a responsible authority.

8.2.2 The representation submitted by West Yorkshire Police, remains as a matter for Members consideration. A copy of the same may be found at Appendix D.

8.3 The representation submitted by Environmental Protection Team, remains as a matter for Members consideration. A copy of the same may be found at Appendix E.

### 8.4 Representations from Interested parties

8.4.1 There are no representations from interested parties.

## **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.
- 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