



Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: Monday 26th November 2012

Subject: Application to vary a premises licence held in respect of Pizza Bella 32 Market Place, Wetherby, Leeds, LS22 6NE

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Wetherby	
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 to vary a premises licence held in respect of Pizza Bella 32 Market Place, Wetherby, Leeds, LS22 6NE

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

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

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 34 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 An application was made on 24th December 2005 for the Grant of a Premise Licence under the Licensing Act 2003, in respect of this premise. No representations were received and the application was deemed granted. In April 2008, a further application was received to extend the operating hours at the

premises and to include the sale of alcohol. The application attracted representations from Responsible Authorities and Interested Parties. A hearing was scheduled as agreements were not reached with the Interested Parties. At the hearing the application was refused in part. The sub committee resolved to not include the sale of alcohol as a licensable activity but to allow the additional hours as requested for late night refreshment.

In May 2012, a further application was received to include the sale of alcohol and to remove conditions which are duplicated in other legislation. Once again the application attracted representations.

At the hearing, the applicant made it clear that the sale of alcohol would be a delivery only operation. The applicant had also offered certain conditions to address the issue of the sale of alcohol under the Licensing objectives. The Sub Committee were satisfied with the steps made by the applicant and those agreed at the hearing and deemed to grant the licence as applied for.

2.2 A copy of the existing licence is attached at Appendix A

3.0 The Application

3.1 The applicant is Altin Ltd,

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

3.3 In summary the application is for

Late night Refreshment

Monday to Thursday	23:00 – 00:00
Friday to Sunday	23:00 – 02:00

Non Standard Timings

Christmas Eve until 03:00 hours.

4.0 Other matters relevant to the application

4.1 It is brought to the Members attention that this variation application is to increase Late Night Refreshment and Opening Hours only. No application has been made to extend the hours for the sale of alcohol which are to remain the same as those already authorised by the existing Premises Licence – See Appendix A

4.2 Equality and Diversity / Cohesion and Integration

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 has not proposed any further steps to promote the Licensing Objectives.

6.0 Location

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

7.0 Representations

7.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

7.2 Representations from Responsible Authorities

7.2.1 Environmental Protection Team in their capacity as a Responsible Authority have objected to this application. A copy of the same may be found at Appendix D

7.3 Other representations

7.3.1 The application has attracted representations from other persons.

7.3.2 The Licensing Section is in receipt of two further objections from Wetherby Town Council and Collingham with Linton Parish council. Members attention is drawn to Appendix E

8.0 Options Available to Members

8.1 The Licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Reject the whole or part of the application.

8.2 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 appropriate in order to promote the licensing objectives.

9.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy