

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

**Report to the Licensing Sub Committee**

**Date: 14th January 2013**

**Subject: Application for the grant of a premises licence for the Convenience Store  
93 - 95 Boggart Hill Drive, Seacroft, Leeds, LS14 1LE**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Killingbeck & Seacroft	
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 the Convenience Store 93 - 95 Boggart Hill Drive, Seacroft, Leeds, LS14 1LE

95 Boggart Hill Drive is currently licensed and the application is to incorporate 93 Boggart Hill Drive into the premises. There is no intention to increase the licensable activities or the opening hours at the premises.

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

The application has attracted representations from members of public and from a responsible authority.

## **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 95 Boggart Hill Drive currently has the benefit of a premises licence. Following renovation and extension at the premises this application is to include 93 Boggart Hill Drive.

## **3.0 The Application**

- 3.1 The applicant is Mr Balu Bhikbhai Patel,
- 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 only  
08:00 until 23:00 hrs Monday to Saturday  
10:00 until 22:30 hrs Sunday

Times when the premises will be open to the public  
09:00 until 21:30 hrs Monday to Saturday  
10:00 until 21:30 hrs Sunday

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 This application intends to mirror the existing licensable activities as per the premises licence for 95 Boggart Hill Drive with no increase or decrease of licensable activities.
- 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 the Pro-forma Risk Assessment; a copy of which may be found at Appendix A.

## **6.0 Proposed Designated Premises Supervisor**

6.1 Mr Balu Bhikbhai Patel intends to be the Designated Premises Supervisor.

## **7.0 Location**

7.1 A map which identifies the location of these premises is attached at Appendix B.

## **8.0 Representations**

8.1 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.

### **8.2 Representations from Responsible Authorities**

8.2.1 A representation was received from the West Yorkshire Police in their capacity as a responsible authority.

8.2.2 The West Yorkshire Police had concerns regarding crime and disorder, public nuisance and protection of children from harm. Suggested conditions were offered but these have been addressed by the pro-forma risk assessment. A withdrawal of the representation was subsequently received. Copies of the representation and the withdrawal may be found at Appendix C.

### **8.3 Other representations**

8.3.1 The application has attracted representation from other persons.

8.3.2 The Licensing Section is in receipt of 3 individual objections and 2 joint objections from members of the public that are opposed to this application on the grounds of crime prevention, public nuisance and protection of children from harm.

8.3.3 The representations are in the main about crime and disorder and antisocial behavior around the premises. Although reference is made to increased hours of the opening the objectors have been notified that the application is for the same hours and activities as are currently in operation at the premises.

8.3.4 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 appropriate 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 appropriate 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 other persons