

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday, 10th October 2023

Subject: Application for the Grant of a Premises Licence for Unit 2B, The Gateway North, Crown Point Road, Hunslet, Leeds, LS9 8BZ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 made by Nicholas James Loft, for Unit 2B, The Gateway North, Crown Point Road, Hunslet, Leeds, LS9 8BZ.

The application explains the premises intends to operate as a bar/eatery, proposing the sale by retail of alcohol and the performance of recorded music. The hours applied for can be noted at 3.2 of the report.

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

The application has attracted representations from the Environmental Protection Team and other persons.

1 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 new 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 History of the Premises

2.1 Committee Members may wish to note that these premises have previously had the benefit of a premises, trading as The Gateway Bar & Grill. Due to the Premises Licence Holder's company going into liquidation the licence lapsed in March 2021.

2.2 The licensable activities/hours authorised by that licence were:

Sale by retail of Alcohol (for consumption both on and off the premises)
Every Day 10:00 - 01:45

Recorded Music
Every Day 10:00 - 02:00

The opening hours of the premises were:
Every Day 10:00 - 02:00

3 The Application

3.1 The applicant's name is Nicholas James Loft.

3.2 The proposed designated premises supervisor is Nicholas James Loft.

3.3 In summary, the application is for the following licensable activities/hours:

Sale of Alcohol (for consumption both on and off the premises)
Everyday 11:00 - 01:00

Recorded Music
Everyday 08:00 – 01:00

The hours the premises proposes to be open to the public are:
Everyday 08:00 – 01:30

3.4 A redacted version of the application has been attached at Appendix A.

3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in Section M of the application form.

3 Location

3.1 A map which identifies the location of this premises is attached at Appendix B.

4 Representations

4.1 Under the Act representations can be received from anyone but they must be relevant and, in the case of a member of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 4.2 A representation has been received from Environmental Protection Team in their capacity as a responsible authority.
- 4.3 Any representation may be negotiated prior to the hearing and in this instance the operating schedule has been amended to include the measures agreed with Environmental Protection Team. A copy of the representation and agreement may be found at Appendix C.

Other representations

- 4.4 The application has attracted representations, both in support and in opposition, from local residents and a local ward councillor (described as 'other persons' in the legislation),
- 4.5 Those representations opposed to the application are lodged mainly on the grounds of public nuisance and have been received from the local ward councillor (subject to some negotiation) and four local residents.
- 4.6 Two of the representations from local residents have expressed concern that they may be at risk of retribution should their details be made public. As such their personal details have been redacted and they will remain anonymous. For this reason, despite their strength of feeling they will not be attending the hearing and would like their representations to be considered fully in their absence.
- 4.7 In total the Licensing Authority has received three representations from members of the public expressing support for the application.
- 4.8 In order to protect personal data, redacted copies of the representations which oppose the application can be found at Appendix D, whilst those representations expressing support are available at Appendix E. Original copies of all representations will be provided to the Licensing Sub Committee Members in advance of the hearing.

5 Licensing Hours

- 5.1 Members are directed to paragraphs 6.8 to 6.15 of the Statement of Licensing Policy which states the criteria that will be applied to any decision for new applications or variations which include extending hours.
- 5.2 In brief the Policy states at 6.14 that restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so.
- 5.3 The council will take into account the existing pattern of licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not adversely impact on the licensing objectives.
- 5.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix F.

6 Equality and Diversity Implications

6.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the licensing subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

7 Options Available to Members

7.1 The licensing subcommittee 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.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.

7.2 Members of the licensing subcommittee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

8 Background Papers

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