

**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date:** 12th December 2023

**Subject:** Application for the Grant of a Premises Licence for Bombay 2 Goa, 16A Headingley Lane, Headingley, Leeds, LS6 2AS

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Headingley & Hyde Park		
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 Bombay to Goa Limited, for Bombay 2 Goa, 16A Headingley Lane, Headingley, Leeds, LS6 2AS.

The application explains the premises will operate as a bar and restaurant, proposing the sale by retail of alcohol, late night refreshment and recorded music. The hours applied for can be noted at 3.3 of the report.

Responsible authorities and Ward Members have been notified of this application and representations have been received from West Yorkshire Police, Environmental Health and other persons.

Agreements to a number of suggested measures have been reached with the responsible authorities, including a reduction to the terminal hour of all activities applied for. The representations by other persons remain a matter outstanding for the Committee's consideration.

## **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 This is the first application for a premises licence for these premises.

## **3 The Application**

- 3.1 The applicant's name is Bombay to Goa limited.
- 3.2 The proposed designated premises supervisor is Sandeep Manhas.
- 3.3 Following the agreement to amend the proposed operating schedule the application is for:

*The Sale by Retail of Alcohol (for consumption on the premises)  
Every day 11:00 until midnight*

*Late Night Refreshment  
Every day 23:00 until midnight*

*Performance of Recorded Music  
Every day 11:00 until midnight*

*Hours the premises are open to the public  
Every day 11:00 until midnight*

*Non standard timings  
No non-standard timings for bank holidays or special occasions are proposed.*

- 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.

## **4 Location**

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

## **5 Representations**

- 5.1 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

- 5.2 Representations have been received from West Yorkshire Police and Leeds City Council's Environmental Protection Team in their capacity as responsible authorities.
- 5.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police and a copy of the agreement may be found at Appendix C.
- 5.4 The representation from Leeds City Council's Environmental Protection Team was also negotiated prior to the hearing, including measures to promote the public nuisance objective and an agreement to reduce the hours of the licensable activities applied for. A copy of the agreement may be found at Appendix D.

### Other representations

- 5.5 The application originally attracted twelve representations from other persons, however three objectors withdrew their objection having been notified of the reduced terms.
- 5.6 In summary the licensing authority is in receipt of nine individual letters of objection, including an objection from a local neighbourhood group and an objection from the Safer Stronger Communities Team.
- 5.7 In order to protect personal data, redacted copies of the representations are attached at Appendix E and original copies will be provided to the Licensing Sub Committee in advance of the hearing.

## **6 Licensing Hours**

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix F.

## **7 Equality and Diversity Implications**

- 7.1 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.

## **8 Options Available to Members**

8.1 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.

8.2 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.

## **9 Background Papers**

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