

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday 12 December 2023

Subject: Application for the Grant of a Premises Licence for Reksio Mini Market, 5 Middleton District Centre, Ring Road Middleton, Leeds, LS10 4AX

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Middleton 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 Reksio Limited, for Reksio Mini Market, 5 Middleton District Centre, Ring Road Middleton, Middleton, Leeds, LS10 4AX.

The application explains the licence is for a newsagents selling European foodstuffs, situated in a mixed-use retail section of a block of retail units.

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

The application has attracted representations from West Yorkshire Police and other persons, including a Local Ward Councillor.

The representations by the police and councillor have been withdrawn following agreements reached to incorporate measures into the proposed operating schedule.

Representations from two members of the public 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 Reksio Limited.
- 3.2 The proposed designated premises supervisor is Mr Mohammad Omar Ahmad,
- 3.3 In summary, the application is for:

*Sale by retail of alcohol (for consumption off the premises)
Every Day 07:00 - 23:00*

*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.

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 A representation has been received from West Yorkshire Police in their capacity as a responsible authority.
- 5.3 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 West Yorkshire Police. A copy of the representation and agreement is available at Appendix C.

Other Representations

- 5.4 The application has attracted representation from two members of the public and a local ward councillor (described as 'other persons' in the legislation).
- 5.5 The representation on behalf of the councillor suggested measures in relation to CCTV and discouraging customers consuming alcohol or congregating outside the premises. The Applicant has agreed to adopt the measures and the councillor has subsequently withdrawn the representation. A copy of the email exchange can be found at Appendix D.
- 5.6 The remaining two representations have been received from members of the public who 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.
- 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.
- 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