

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

**Report to the Licensing Sub Committee**

**Date: Tuesday 13 August 2024**

**Subject: Application for the Grant of a Premises Licence for Caffe Brigante, Venture House, 17 Hunslet Road, Hunslet, Leeds, LS10 1QN**

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|---|---|--|
| 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 Brigante Ltd., for Caffe Brigante, Venture House, 17 Hunslet Road, Hunslet, Leeds, LS10 1QN.

The application is made for a premises wishing to operate as a café/bar, proposing the Sale by Retail of Alcohol (for consumption on the premises) Monday to Sunday 7am to 11pm.

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

Measures suggested by West Yorkshire Police and the Environmental Protection Team have been accepted by the applicant and those representations have been withdrawn.

The matter that remains outstanding for the Sub Committee's consideration is three representations received from 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 This is the first application for a premises licence for these premises.

## **3 The Application**

- 3.1 The applicant's name is Brigante Ltd.
- 3.2 The proposed designated premises supervisor is Ahmad Alrababa.
- 3.3 In summary the application is for:

*Sale by retail of alcohol*  
*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 and the steps the applicant is willing to take to promote the licensing objectives can be found under 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 Environmental Health in their capacity as responsible authorities.
- 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 and Environmental Health. Copies of these representations and the agreements may be found at Appendices C and D respectively.

## Other Representations

- 5.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.5 The Licensing Authority is in receipt of three individual objections from companies/persons with a business interest in the vicinity of the applying premises. The representations oppose the application mainly on the grounds of public nuisance.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix E and the original versions 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