

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 5 November 2024

Subject: Application for the Grant of a Premises Licence for Off Licence, 81 Roundhay Road, Leeds, LS8 5AQ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Chapel Allerton		
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 Mr Yakob Tadese, for an Off Licence at 81 Roundhay Road, Leeds, LS8 5AQ.

The matter was due to be heard on the 15 October 2024, however prior to the start of the meeting a Member of the Sub Committee was unable to attend. The officer objecting to the application on behalf Entertainment Licensing did not agree to a quorum of two Sub Committee Members and also referred to a lack of representation from West Yorkshire Police. The matter was therefore adjourned.

The application explains the premises will operate as an off licence proposing the Sale by Retail of Alcohol for consumption off the premises. The applicant has reduced the hours originally applied for from 24 hours a day, 7 days a week, to 09:00 to 23:00 hours Monday to Sunday.

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

The premises are located within an area covered by the Harehills Cumulative Impact Policy and the application has attracted outright representations from Entertainment Licensing, the Environmental Protection Team, Public Health and West Yorkshire Police.

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 The premises has previously been licensed as part of this and the unit next door (known as Piassa Ethiopian Bar & Restaurant authorising alcohol sales for consumption on the premises only).
- 2.2 Recently, a minor variation application was made to remove the applying unit from the overall licensed area for Piassa Ethiopian Bar & Restaurant following division of the units and the proposal is for this individual unit to now operate as an off licence under its own licence.
- 2.3 In 2022, an application for an off licence (known as Indigo) was refused by the Licensing Sub Committee.

3 The Application

- 3.1 The applicant's name is Mr Yakob Tadese.
- 3.2 The proposed Designated Premises Supervisor is Mr Yakob Tadese.
- 3.3 In summary the application is for:

*Sale by retail of alcohol (for consumption off the premises)
09:00 – 23:00 Every Day (as per the reduction offered by the applicant)*

- 3.4 A redacted version of the application is attached at **Appendix A**.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in the document attached at **Appendix B**.
- 3.6 Information has been supplied by the applicant in support of the application, including a statement offering reduced hours, further measures to promote the licensing objectives and a petition expressing support. The bundle provided can be seen at **Appendix C**.

4 Location

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

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 objecting to the application outright have been received from Entertainment Licensing, the Environmental Protection Team, Public Health and West Yorkshire Police.

- 5.3 A copy of each agency representation can be found at:

- a. Leeds City Council's Entertainment Licensing - **Appendix E**
- b. Leeds City Council's Environmental Protection Team - **Appendix F**
- c. Leeds City Council's Public Health Service - **Appendix G**
- d. West Yorkshire Police - **Appendix H**

Other Representations

- 5.4 There are no representations received from other persons.

6 Cumulative Impact Policy

- 6.1 The premises are located within the cumulative impact area for Harehills and Burmantofts.

- 6.2 Cumulative impact means the potential impact on the promotion of the licensing objectives due to the significant number of licensed premises concentrated in one area.

- 6.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify, through the risk assessment process and/or the operating schedule, the steps they intend to take so that the council and responsible authorities can be satisfied that granting a new licence would not add to the impact already being experienced.

- 6.4 Details of the cumulative impact policy specific to Harehills and Burmantofts and an outline of the evidence behind the reason for setting this policy is attached at **Appendix I**.

- 6.5 Members are directed to paragraph 7.44 of the Statement of Licensing Policy which provides examples of how an application may demonstrate there will be no impact and paragraph 7.45 which provides examples of the matters that the council would not normally take into consideration.

7 Licensing Hours

- 7.1 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.

- 7.2 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.
- 7.3 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.
- 7.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix J**.

8 Equality and Diversity Implications

- 8.1 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.

9 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.
 - Refuse to specify the said person as the designated premises supervisor.
 - Reject the whole or part of the application.
- 9.2 Members of the Licensing Sub Committee 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.

10 Background Papers

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