

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

**Report to Licensing Sub Committee**

**Date: Tuesday, 4th July 2023**

**Subject: Application to Vary a Premises Licence held by Off Licence, 259 Beeston Road, Beeston, Leeds, LS11 7LR**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Beeston & Holbeck		
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 to vary a premises licence made by Mr Souleiman Al Ampasi, for 259 Beeston Road, Beeston, Leeds, LS11 7LR.

The application is made to extend the sale by retail of alcohol for consumption off the premises, from the existing hours of 07:00 to 23:00, Monday to Sunday, to 24 hours a day, 7 days a week, and revise condition consistent with the operating schedule as outlined at 3.2 of the report.

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

The application has attracted representations from responsible authorities.

## **1 Purpose of this Report**

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a 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 Premises**

- 2.1 The premises has the benefit of a premises licence to permit:-

*Sale of Alcohol (for consumption off the premises)  
Monday to Sunday 07:00 – 23:00*

- 2.2 A copy of the existing licence is attached at Appendix A.

## **3 The Application**

- 3.1 The applicant is Mr Souleiman Al Ampasi

- 3.2 Briefly the application is to:

- Authorise the sale by retail of alcohol 24 hours a day, 7 days a week; and
- Review the conditions as follows:
  - To remove condition 24 as a duplication of condition 23;
  - To remove conditions 27, 28, 30, 34, 37, 40 and 43; and
  - To reword condition 46 so that children will be prevented from entering the premises between 22:00 and 07:00 hours.

- 3.3 A redacted copy of the application form is attached at Appendix B.

- 3.4 Other than the rewording proposed to the condition relating to the admission of children, the applicant considers that no further measures are necessary to promote the licensing objectives.

## **4 Location**

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

## **5 Representations**

- 5.1 Under the Act representations can be received from anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

## Representations from Responsible Authorities

- 5.2 Representations have been received from West Yorkshire Police, Public Health and Communities Housing and Environment in their capacity as responsible authorities. All representations remain outstanding for the Committee's consideration
- 5.3 A copy of the representation lodged by West Yorkshire can be found at Appendix D.
- 5.4 Member's attention is drawn to a copy of the representation lodged by Public Health at Appendix E.
- 5.5 The representation on behalf of the Safer Stronger Communities Team is available at Appendix F.

## Other Persons

- 5.6 The application has attracted representations from a Local Ward Councillor (described as 'other persons' in the legislation) expressing concerns in relation to noise nuisance and anti-social behaviour issues. A copy of the representation can be found at Appendix G.

## **6 Licensing Hours**

- 6.1 Members are directed to paragraphs 6.8 to 6.15 for 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. 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 impact on the licensing objectives.
- 6.3 A list of premises in the local area and their licensed hours and activities is provided at Appendix H

## **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 variation as requested.

- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Reject the whole or part of the application.

8.2 Members of the licensing subcommittee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives and relevant to the application.

## **9 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy