

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 28th October 2013

Subject: Application to vary a premises licence held by Asda Stores Ltd for Asda Supermarket Oldfield Lane, Wortley, Leeds, LS12 4BP

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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 Asda Stores Limited, for Asda Supermarket Oldfield Lane, Wortley, Leeds, LS12 4BP

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

The application has attracted representations from other persons.

1.0 Purpose of this Report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") for 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.

2.0 History of Premises

- 2.1 The premises currently has the benefit of a premises licence. The premises permits the sale of alcohol
- 2.2 Monday to Saturday 08:00 to 23:00
Sunday 10:00 to 22:30
- 2.3 A copy of the existing licence is attached at Appendix **A**

3.0 The Application

- 3.1 The applicant is Asda Stores Limited,
- 3.2 The application form may be found at Appendix **B** to this report.
- 3.3 In summary the application is to extend the licensing hours at the store as below:-
To permit the sale of alcohol from 06:00 to 00:00 Monday to Sunday inclusive
To permit late night refreshment for 23:00 to 00:00 Monday to Sunday inclusive
To remove certain conditions including the restriction on the sale of alcohol on Christmas Day as per the application form.
No non Standard timings have been applied for.

4.0 Other matters relevant to the application

- 4.1 Further to discussions between the Development Department and the applicants solicitors where it was agreed between the parties that the store would not open beyond the permitted planning hours until the current planning application is determined. For clarity the current planning hours are as follows:

Monday to Saturday	08:00hrs to 22:00hrs
Sunday & Bank Holidays	10:00hrs to 16:00hrs

4.2 Equality and Diversity / Cohesion and Integration

- 4.3 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.

5.0 Steps to promote the Licensing Objectives

5.1 The applicant proposes to take specific steps to promote the licensing objectives identified in section “P” of the application form.

6.0 Location

6.1 A map which identifies the location of this premises is attached at Appendix C.

7.0 Representations

7.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

7.2 Representations from Responsible Authorities

7.2.1 There have been no representations from responsible authorities.

7.3 Other representations

7.3.1 The application has attracted representations from other persons.

7.3.2 The Licensing Department is in receipt of a representation from a member of the public on the grounds of public nuisance and crime and disorder.

7.3.3 Copies of the representation will be available at the hearing for Members consideration.

8.0 Options Available to Members

8.1 The licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Reject the whole or part of the application.

8.2 Members of the licensing Sub Committee 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.

9.0 Background Papers

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from Other persons