

**Report of the Head of Licensing and Registration**

**Report to the Licensing Sub Committee**

**Date: Monday 28th October 2013**

**Subject: Application for the Grant of a Premises Licence for Euro Mix Food 21 - 23  
New York Street, Leeds, LS2 7DT**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Hunslet	
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 Darius Sinkevic, for Euro Mix Food 21 - 23 New York Street, Leeds, LS2 7DT.

The application is made to licence a convenience store with a proposal to provide the sole licensable provision of retail by sale of alcohol. The hours applied for are noted at 3.3.2 of this report.

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

The application initially attracted an outright representation from West Yorkshire Police. However following a meeting held with applicant 15<sup>th</sup> October 2013, West Yorkshire Police retracted their full objection and instead offer suggested measures for the applicant to abide by. At the time of writing this report, the offer by West Yorkshire remains outstanding.

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

## **1.0 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 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 This is the first application for a premises licence for these premises.

## **3.0 The Application**

- 3.1 The applicant is Mr Darius Sinkevic.
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for

Sale by retail of alcohol (for consumption off the premises)  
08:00 until 23:00 hours Monday to Saturday  
10:00 until 17:00 hours Sunday

Non-standard Timings:

There are no non-standard timings for Bank Holidays or special occasions proposed in this application.

## **4.0 Other matters relevant to the application**

- 4.1 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.

## **5.0 Steps to promote the Licensing Objectives**

- 5.1 The applicant proposes to take the steps identified in the Pro-Forma Risk Assessment to promote the licensing objectives; a copy of which may be found at appendix B of this report.

## **6.0 Proposed Designated Premises Supervisor**

- 6.1 Mr Darius Sinkevic intends to be the Designated Premises Supervisor.

## **7.0 Location**

- 7.1 A map which identifies the location of this premise is attached at Appendix C.

## **8.0 Representations**

8.1 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.

### **8.2 Representations from Responsible Authorities**

8.2.1 This application initially attracted outright representation from West Yorkshire Police. That representation was based on the inadequate crime prevention measures offered by the applicant, in particular for a premises in an area considered a magnet for some members of society whom alcohol is a daily necessity, and look to take advantage of the availability of alcohol on the nearby off licenses, presenting a threat to staff and the general public alike.

8.2.2 However subsequent to a meeting with Mr Sinkevic on the 15<sup>th</sup> October 2013, West Yorkshire Police have altered their stance and alternatively proposed suggested measure for the applicant to agree to. These measures currently remain outstanding without an agreement being reached. A copy of the measures suggested can be viewed at Appendix D of this report.

### **8.3 Other representations**

8.3.1 There are no other representations.

## **9.0 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.
- Exclude any licensable activities to which the application relates.
- 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 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.

## **10.0 Background Papers**

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