

Report of the Head of Licensing and Registration

Report to the Licensing Sub Committee

Date: 11th November 2013

Subject: Application for the grant of a premises licence for Siam Oriental Restaurant 106A Harrogate Road, Moortown, Leeds, LS7 4LZ

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 Siam Square (Leeds) Ltd, for Siam Oriental Restaurant 106A Harrogate Road, Moortown, Leeds, LS7 4LZ.

The application is for Sale by retail of alcohol, live music, recorded music, performance of dance, anything of a similar description, late night refreshment as noted in 3.3.

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

The application has attracted representations from other persons and responsible authorities.

The premises are located within an area covered by a Cumulative Impact Policy.

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

- 2.0 This the first application for a premises licence made by Siam Square (Leeds)Ltd.
- 2.1 These premises previously had the benefit of a premises licence. Due to the licence holder entering liquidation the licence lapsed on the 29th July 2013, as no licence transfer was received within the 28 day consultation period.

3.0 The Application

- 3.0 The applicant is Siam Square (Leeds) Ltd,
- 3.1 The application form may be found at Appendix A to this report.
- 3.2 In summary the application is for

Sale by retail of alcohol, live music, recoded music, performance of dance, anything of a similar description.

Everyday 12:00 – 03:00

Late night refreshment

Everyday 23:00 - 03:00

Non Standard Timings

From the end of permitted hours on New Year's Eve until the start of permitted hours New Year's Day. Late night refreshment 23:00 New Year's Eve until 05:00 New Year's Day.

4.0 Other matters relevant to the application

- 4.0 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

- 5.0 The applicant proposes to take specific steps to promote the licensing objectives identified in section "P" of the application form.

6.0 Proposed Designated Premises Supervisor

- 6.0 Puttachat Keassarin intends to be the Designated Premises Supervisor.

7.0 Location

- 7.0 A map which identifies the location of this premise is attached at Appendix B.

8.0 Cumulative Impact Policy

8.0 The premises are located within the Cumulative Impact Area 4.

8.1 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

8.2 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 operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

8.3 Details of the Cumulative Impact Policy specific to Area 4 and an outline of the evidence behind the reason for setting this Policy is attached at Appendix C.

9.0 Representations

9.0 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.

9.1 Representations from Responsible Authorities

9.1.1 Representations have been received from West Yorkshire Police, Environmental Protection Team, Health and Safety Team, Planning Services.

9.1.2 The representations submitted by the four Responsible Authorities remain as a matter for member's consideration. A copy of the same may be found at Appendix D.

9.2 Other representations

9.2.1 The application has attracted representations from other persons.

9.2.2 The licensing section is in receipt of ten individual letters of objection. All of which are opposed to this application on the grounds of noise nuisance.

9.2.3 The application has attracted a representation from the Chapel Allerton ward Councillors. A copy of the same may be found at Appendix E.

9.2.4 Copies of the representations will be available at the hearing for Members consideration.

10.0 Options Available to Members

10.0 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.

10.1 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.

11.0 Background Papers

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