

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

**Report to the Licensing Sub Committee**

**Date: 16th December 2013**

**Subject: Application for the grant of a premises licence for Nisa Local 2 Ash Road, Headingley, Leeds, LS6 3JF**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Headingley	
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 FS 99 LTD, for Nisa Local 2 Ash Road, Headingley, Leeds, LS6 3JF.

The applicant has applied for the sale of alcohol and late night refreshment. Full details of activities and hours can be found at 3.3 of this report.

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

The application has attracted representations from other persons.

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**

- 2.1 This is the first application from this applicant, but the premises were previously licensed as Sainsbury's supermarket. The premises licence was to allow the sale of alcohol between the hours of 6:00 am and 23:00 hrs. The licence was surrendered by Sainsbury's Supermarkets Limited on the 1<sup>st</sup> July 2011, hence the new application.
- 2.2 The premises are currently trading as a 24 hour convenience store and have been doing so since February 2013. The application is to add the sale of alcohol between the hours of 05:00 to midnight every day and late night refreshment between the hours of 23:00 to 05:00 every day.

## **3.0 The Application**

- 3.1 The applicant is FS 99 LTD,
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is for

Supply of alcohol off the premises  
05:00 until 00:00 every day

Late night refreshment  
23:00 until 05:00 every day

Times when the premises will be open to the public  
00:00 until 23:59

Non Standard Timings:  
No non standard timings for bank holidays or special occasions are proposed.

## **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 specific steps to promote the licensing objectives identified in section 18 of the application form.

## **6.0 Proposed Designated Premises Supervisor**

6.1 Mohammed Asif intends to be the designated premises supervisor although he has not yet obtained his personal licence.

## **7.0 Location**

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

## **8.0 Cumulative Impact Policy**

8.1 The premises are located within the Cumulative Impact Area 2.

8.2 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.

8.3 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 operating schedule, the steps that they intend 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.

8.4 Details of the Cumulative Impact Policy specific to Area 2 and an outline of the evidence behind the reason for setting this policy is attached at Appendix C.

## **9.0 Representations**

9.1 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.

### **9.2 Representations from Responsible Authorities**

9.3 There have been no representations from responsible authorities.

#### 9.4 Other representations

9.4.1 The application has attracted representations from other persons.

9.4.2 The licensing section is in receipt of thirteen individual letters of objection which are opposed to this application on the grounds of public nuisance.

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

#### **10.0 Options Available to Members**

10.1 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.

10.2 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.

#### **11.0 Background Papers**

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