

Report of the Head of Elections, Licensing and Registration

Report to the Licensing Sub Committee

Date: 29th September 2015

Subject: Application for the Grant of a Premises Licence for Convenience Store/Off Licence 4 Branch Road, Armley, Leeds, LS12 3AQ

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	Armley	
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 Ranj Rashid Raza, for Convenience Store/Off Licence 4 Branch Road, Armley, Leeds, LS12 3AQ.

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

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

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 The premises were previously licensed as Neli's Bar for on licensed sale of alcohol. The licence was reviewed by West Yorkshire Police and was subsequently revoked at hearing by the sub-committee. The applicant has no association with the previous premises licence holder and the business is for off sales only.

3.0 The Application

3.1 The applicant is Mr Ranj Rashid Raza. The application form and supporting information submitted may be found at **Appendix A** to this report. In summary the application is for the sale of alcohol for consumption of the premises 09:00 to 23:00 every day.

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 M of the application.

6.0 Proposed Designated Premises Supervisor

6.1 Dara Ali Goran intends to be the designated premises supervisor.

7.0 Licensing Hours

7.1 Members are directed to paragraphs 6.8 to 6.15 of 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.

7.2 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.

7.3 It also states 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, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.

7.4 A list of premises in the local area and their licensed hours and activities is provided at **Appendix G**.

8.0 Location

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

8.2 This application is in an area where the council has put in place Local Licensing Guidance. This means that the area in which this premises is situated have been identified by the Area Committees as vulnerable to problem drinking and there are additional issues that directly impact the promotion of the licensing objectives.

8.3 The applicant has been sent the Local Licensing Guidance during the application process and has not volunteered conditions to mitigate these concerns. The Local Licensing Guidance 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.

Representations from Responsible Authorities

9.2 Representation was received from West Yorkshire Police as a responsible authority.

9.3 Any representations submitted may be agreed prior to a hearing. In this instance the operating schedule has been amended to include measures agreed with West Yorkshire Police. A copy which may be found at **Appendix D**

Other representations

9.4 The application has attracted representations from other persons. The Licensing Section is in receipt of a representation from the Ward Councillor attached at **Appendix E**

9.5 We have also received a representation from the Leeds Anti-Social Behaviour Team (West North West) attached at **Appendix F**

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 Statement of Licensing Policy
- Local Licensing Guidance (if relevant)