

**Report of the Chief Officer Elections and Regulatory**

**Report to the Licensing Sub Committee**

**Date: 18th September 2018**

**Subject: Application for the grant of a premises licence for Off Licence 223 Dewsbury Road Hunslet Leeds LS11 5HZ**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hunslet & Riverside		
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 Ahmad Ibrahim, for 223 Dewsbury Road, Hunslet, Leeds, LS11 5HZ.

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

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

**1 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 new 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 History of the premises**

- 2.1 This is the first application for a premises licence for these premises.

### **3 The Application**

- 3.1 The applicant's name is Mr Ahmad Ibrahim.
- 3.2 The proposed designated premises supervisor is Ahmad Ibrahim
- 3.3 In summary the application is for:  
Sale of Alcohol 24 Hours a day (Off Sales Only)

### **4 The operating schedule**

- 4.1 The applicant proposes to promote the licensing objectives by taking the steps identified in the operating schedule attached at **Appendix A**

### **5 Location**

- 5.1 A map which identifies the location of this premises is attached at **Appendix B**

### **6 Representations**

- 6.1 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

- 6.2 Representations have been received from The Environmental Protection Team and West Yorkshire Police in their capacity as a responsible authority which may be found at **Appendix C**.
- 6.3 Any representation may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with West Yorkshire Police. A copy of the agreement may be found at **Appendix D**.
- 6.4 The representation submitted by the Environmental Protection Team has been partially agreed there remains outstanding. The outstanding measure being the requested hours of operation. A copy is attached at **Appendix E**

#### Other representations

- 6.5 The application has attracted representation from Ward Members (described as 'other persons' in the legislation).
- 6.6 We are in receipt of a letter from Councillor Iqbal, Councillor Wray and Councillor Nash the Hunslet and Riverside ward members on the grounds of Public Nuisance, Protection of Children and Crime and Disorder which may be found at **Appendix F**

## **7 Local Licensing Guidance**

7.1 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 Community Committees as vulnerable to problem drinking and there are additional issues that directly impact the promotion of the licensing objectives. The applicant has been sent the Local Licensing Guidance during the application process and has/has not volunteered conditions to mitigate these concerns. The Local Licensing Guidance is attached at **Appendix G**

## **8 Licensing hours**

8.1 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.

8.2 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.

8.3 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 adversely impact on the licensing objectives.

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

## **9 Equality and diversity implications**

9.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the licensing subcommittee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **10 Options available to Members**

10.1 The licensing subcommittee 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 subcommittee are asked to note that they may not reject the whole or part of the application merely because they consider it desirable to do so. It must be appropriate in order to promote the licensing objectives.

## **11 Background papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Statement of Licensing Policy