

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Wednesday 12th August 2020

Subject: Application for the grant of a premises licence for Karvanis Italian Unit 1, Church Street, Woodlesford, Leeds, LS26 8RE

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Rothwell		
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 Atabak Karvani-Dilmaghani, for Karvanis Italian Unit 1, Church Street, Woodlesford, Leeds, LS26 8RE.

The premises will operate as a pizzeria and bar with recorded music Monday to Sunday and live music on Saturday and Sunday. Full details including proposed times and activities can be found at 3.3 of the report.

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

The application has not attracted any representations from responsible authorities, but it has received a letter of objection from a local resident which remains the matter outstanding for Member's consideration.

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 Atabak Karvani-Dilmaghani.
- 3.2 The proposed designated premises supervisor is Mr Atabak Karvani-Dilmaghani.
- 3.3 In summary the application is for:

Sale by Retail of Alcohol - Monday to Thursday	17:00hrs to 23:00hrs
Friday	16.30hrs to 23.30hrs
Saturday	12.00hrs to 23.30hrs
Sunday	14.30hrs to 22.30hrs
Live Music - Saturday & Sunday	19.00hrs to 21.00hrs
Recorded Music - Monday to Thursday	16.30hrs to 23.00hrs
Friday	16.30hrs to 23.30hrs
Saturday	12.00hrs to 23.30hrs
Sunday	14.30hrs to 22.45hrs

No non-standard timings for bank holidays or special occasions are proposed.

- 3.4 It should be noted that Live Music and Recorded Music between 08:00hrs and 23:00hrs is deregulated under the Live Music Act 2012.
- 3.5 A redacted version of the application has been attached at Appendix A.
- 3.6 The applicant proposes to promote the licensing objectives by taking the steps identified in the pro-forma risk assessment attached at Appendix B of this report.

4 Location

- 4.1 A map which identifies the location of these premises is attached at Appendix C.

5 Representations

- 5.1 Under the Act representations can be received from anyone but they must be relevant and, in the case of a member of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

5.2 There have been no representations from responsible authorities.

Other representations

5.3 The application has attracted a representation from a member of the public (described as 'other persons' in the legislation), who has expressed concerns regarding noise, anti-social behaviour and littering.

5.4 In order to protect personal data, a redacted copy of the representation is attached at Appendix D. An original copy will be available at the hearing for Member's consideration.

5.5 In response to the objection received, the applicant has submitted further information which can be found at Appendix E

6 Licensing Hours

6.1 Members are directed to paragraphs 6.6 to 6.13 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.

6.2 In brief the Policy states at 6.12 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.

6.3 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.

6.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix F.

7 Equality and Diversity Implications

7.1 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.

8 Options Available to Members

8.1 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.

8.2 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.

9 Background Papers

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