

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

**Report to the Licensing Sub Committee**

**Date: Tuesday 13 October 2020**

**Subject: Application for the Grant of a Premises Licence for No Problem Off Licence & Convenience Store, 41 Armley Ridge Road, Armley, Leeds, LS12 3LD**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward:      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 David Timothy Dodson for 41 Armley Ridge Road, Armley, Leeds, LS12 3LD.

The application explains that the premises will operate as a mini market and grocery store.

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

The application has attracted representations from a responsible authority, the Leeds West MP, the three ward councillors and several local residents, all of which object to the application entirely.

## **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 David Timothy Dodson.
- 3.2 The proposed designated premises supervisor is Mr David Timothy Dodson.
- 3.3 In summary the application is for:

*Sale by Retail of Alcohol (for consumption off the premises)  
Monday to Sunday 06:00 until 23:00 hours*

*Non-standard timings*

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

- 3.4 A redacted version of the application has been attached at Appendix A.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified in Section M of the application form.

## **4 Location**

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

## **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.

### Representation from Responsible Authorities

- 5.2 Outright representation has been received from the Communities & Environment Team, expressing concerns the area where the premises is situated is suffering from issues relating to anti-social behavior and alcohol related crime.
- 5.3 The representation submitted by the Communities & Environment Team can be found at Appendix C of the report.

## Other representations

- 5.4 The application has attracted representations from the Leeds West MP, the three local ward councillors and several local residents (described as 'other persons' in the legislation).
- 5.5 The representations from the Leeds West MP and local ward councillors includes a joint objection and individual objections opposing the application on the grounds of alcohol related issues. A copy of these representations are attached at Appendix D for Member's consideration.
- 5.6 It should be noted that Councillor Louisa Cunningham has notified the Licensing Authority that she will be representing the views of local constituents at the hearing.
- 5.7 The application has attracted a total of 10 valid representations from local residents who primarily express concerns in relation an increase in crime and anti-social behavior in the area.
- 5.8 It should be noted that three objectors have indicated that they wish to remain anonymous throughout the full application process for fear of repercussions.
- 5.9 In order to protect personal data, a redacted copy of all public representations are attached at Appendix E. Original copies will be provided to Licensing Sub-Committee in advance of the hearing.

## **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 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