

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 22nd December 2020

Subject: Application for the Grant of a Premises Licence for Morrisons Store and Petrol Filling Station Windsor Court, Morley, Leeds, LS27 9BG

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Morley South		
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 Wm Morrison Supermarkets Plc for Morrisons Store and Petrol Filling Station, Windsor Court, Morley, Leeds, LS27 9BG.

The applicant has applied for the following activities:

Sale by retail of alcohol – Every day 00:00 - 23:59

Late night refreshment – Every day 23:00 – 05:00

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

The application has attracted representation from West Yorkshire Police (WYP). Agreements were reached prior to the hearing between the applicant and WYP, therefore the representation was withdrawn. Further details of this can be found at Appendix C.

The licensing authority also received three individual letters of objection from ward councillors. These remain outstanding and can be found at Appendix D 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 Currently Wm Morrison Plc hold a licence for just the Morrison's store located at the same address. The current operating hours for that licence are as follows:
- 2.2 Sale by retail of alcohol - Every day 06:00 – 00:00
- 2.3 The current application seeks to licence both the supermarket and the petrol station. Should this licence be granted then the current one will be surrendered.

3 The application

- 3.1 The applicant's name is Wm Morrison Supermarkets Plc.
- 3.2 The proposed designated premises supervisor is Joanne Elizabeth Oxley.
- 3.3 In summary the application is for:

Sale by retail of alcohol - Every day 00:00 – 23:59

Late night refreshment – Every day 23:00 – 05:00

- 3.4 The applicant proposes to promote the licensing objectives by offering conditions that will form part of the licence. The document showing these conditions is attached at Appendix A.

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.

Representations from Responsible Authorities

- 5.2 Representations have been received from West Yorkshire Police in their capacity as a responsible authority. Any representation may be negotiated prior to the hearing. Agreements were made by the applicant and West Yorkshire Police prior to the hearing and the representation has been withdrawn. A copy of the representation and agreement can be found at Appendix C.

Other representations

- 5.3 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.4 The licensing authority is in receipt of three individual letters of objection from the local ward councilors, who oppose the application on the grounds of crime & disorder and public nuisance.
- 5.5 Copies of the representations are attached at Appendix D for Member's consideration.

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 E.

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