

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

**Report to the Licensing Sub Committee**

**Date: 5th January 2021**

**Subject: Application for the grant of a premises licence for Ivy Mount Fisheries, 17 Ivy Mount, Leeds, LS9 9BS**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Burmantofts & Richmond Hill		
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 Ajit Singh Sidhu, for Ivy Mount Fisheries 17 Ivy Mount, Leeds, LS9 9BS.

The applicant has applied for the following activities:

Sale by retail of alcohol    Everyday - 12:00 – 00:00

Late night refreshment    Everyday - 23:00 – 00:00

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

West Yorkshire Police (WYP) made a representation to the application but agreements were reached between the applicant and WYP prior to the hearing. The representation has therefore been withdrawn and a copy may be found at Appendix D.

The application has attracted representations from ward councilors and members of the public. These remain outstanding and further details of these objections can be found at 5.3 of the report.

## **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 Ajit Singh Sidhu.
- 3.2 The proposed designated premises supervisor is Ajit Singh Sidhu.
- 3.3 In summary the application is for:

*Sale by retail of alcohol Everyday 12:00 – 00:00*

*Late night refreshment Everyday 23:00 – 00:00*

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

## **4 Location**

- 4.1 A map which identifies the location of this 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. Agreements have been reached prior to the hearing and the representation has been withdrawn. A copy of the agreement may 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 two individual letters of objection from members of the public and three representations from local ward councilors, all of which oppose the application on the grounds of public nuisance and crime and disorder.
- 5.5 One representation has been received from a member of the public who has expressed concern that they may be at risk of retribution should their details be made public. As such their personal details have been redacted and they will remain anonymous. For this reason, despite their strength of feeling they will not be attending the hearing and would like their representations to be considered fully in their absence.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix D. Unredacted copies will be available at the hearing for Members consideration.
- 5.7 The applicant has made contact with objectors in an attempt to alleviate any concerns they may have. At the time of writing no objector has requested to withdraw their representation and a copy of this document can be found at Appendix E for member's to consider.

## **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