

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 26th April 2021

Subject: Application for the grant of a premises licence for No Problem 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(s): 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 Mr David Timothy Dodson, for No Problem Convenience Store 41 Armley Ridge Road, Armley, Leeds, LS12 3LD.

The premises will be operating as a mini market and grocery store selling alcohol for consumption off the premises. The applicant has applied for the following:

Sale by retail of alcohol

Mon-Thurs 08:00 - 21:00

Fri 08:00 - 22:00

Sat 09:00 - 22:00

Sun 09:00 - 21:00

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

The application has attracted representations from other persons.

Please note this is the second application for this premises as the first was refused at licensing sub-committee. Further details of this can be found at 2.1 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 second application for a premises licence for these premises.
- 2.2 The applicant first applied in July 2020. Representations were received by members of the public, West Yorkshire Police & ward councillors on the grounds of crime & disorder and public nuisance. A hearing was scheduled for the 13th October and the decision made by the licensing subcommittee was to refuse the application.
- 2.3 During the month of December 2020, the premises successfully held 3 Temporary Event Notices (TENS). The dates/times applied for were as following:

10th December, 18th December & 26th December – all 3 TENS were for 7 days and licenced for sale by retail of alcohol from 08:00 – 23:00.
- 2.4 No objections/complaints were made to the Licensing Authority regarding these temporary licences.

3 The application

- 3.1 The applicant's name is Mr David Dodson.
- 3.2 The proposed designated premises supervisor is Mr David Dodson.
- 3.3 In summary the application is for:

Sale by retail of alcohol (for consumption off the premises)

Monday – Thursday 08:00 – 21:00
Friday 08:00 – 22:00
Saturday 09:00 – 22:00
Sunday 09:00 – 21:00

- 3.4 The applicant proposes to promote the licensing objectives by taking the steps identified in Part M of the application form. This document can be found at Appendix A.

4 Location

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

Representations

- 4.2 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

- 4.3 There have been no representations from responsible authorities.

Other representations

- 4.4 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 4.5 The licensing authority has received one letter of representation from ward councillors opposing the application on the grounds of public nuisance.
- 4.6 In order to protect personal data, redacted copies of the representations are attached at Appendix C. Unredacted copies will be available at the hearing for Members consideration.
- 4.7 The agent for the licence holder has made contact with one of the ward councillors to try to alleviate any concerns they have. At the time of writing this report, no response has been received. Please find attached a copy of the email at Appendix D.

5 Licensing hours

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 A list of premises in the local area and their licensed hours and activities is provided at Appendix E.

6 Equality and diversity implications

- 6.1 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.

7 Options available to Members

7.1 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.

7.2 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.

8 Background papers

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