

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 22nd June 2021

Subject: Application for the grant of a premises licence for Cora, 162 High Street, Boston Spa, Wetherby, LS23 6BW

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Wetherby		
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 Co Dining Ltd, for Cora, 162 High Street, Boston Spa, Wetherby, LS23 6BW.

The application proposes the sole activity sale by retail of alcohol Monday – Sunday 09:00 – 23:00 hours.

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

The application has attracted representations from West Yorkshire Police and local residents.

The representation by West Yorkshire Police suggested additional measures to promote the prevention of crime and disorder licensing objective. These measures have been agreed by the applicant and the representation by the police has been withdrawn.

Therefore, a total of eleven representations on behalf of local residents remain outstanding for Members' 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 Co Dining Ltd.
- 3.2 The proposed designated premises supervisor is Elizabeth Cottam.
- 3.3 In summary the application is for:

*Sale by retail of alcohol (for consumption both on and off the premises)
Monday – Sunday 09:00 – 23:00*

*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.

Representations from Responsible Authorities

- 5.2 A representation has been received from West Yorkshire Police in their capacity as a responsible authority.
- 5.3 The representation by the police offers a number of measures aimed at promoting the prevention of crime and disorder objective. Such measures have been agreed by the applicant, which now form part of the operating schedule and subsequently

West Yorkshire Police have withdrawn their representation. A copy of the representation can be found at Appendix C of this report.

Other representations

- 5.4 The application has attracted representation from a total of eleven members of the public (described as 'other persons' in the legislation).
- 5.5 The representations express concerns primarily in relation to noise nuisance and anti-social behavior.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix D. Original copies will be circulated to Members in advance of the hearing for their 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