

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

**Report to the Licensing Sub Committee**

**Date: 18th January 2022**

**Subject: Application for the grant of a premises licence for Barakah Bros, 162 Chapeltown Road, Chapeltown, Leeds, LS7 4EE**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Chapel Allerton		
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 Barakah Bros Leeds LTD, for Barakah Bros, 162 Chapeltown Road, Chapeltown, Leeds, LS7 4EE.

The application proposes to operate as a fast food premises with the sole licensable provision late night refreshment.

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

The application has attracted a representation from Leeds City Council's Environmental Protection Team objecting to the application entirely on the grounds of public nuisance.

## **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 Barakah Bros Leeds LTD.
- 3.2 In summary the application is for:

### *Late Night Refreshment*

*Monday to Sunday 23:00 to 01:00 hours*

### *Opening Times*

*Monday to Sunday 11:00 to 01:00 hours*

### *Non-standard timings*

*The application proposes extensions on Bank Holidays until 02:00 hours, Carnival Weekend until 03:00 hours, Christmas, Boxing and New Year's Day until 02:00 hours and during the month of Ramadan until 02:00 hours.*

- 3.3 A redacted version of the application has been attached at **Appendix A**.
- 3.4 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 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 A representation has been received from Leeds City Council's Environmental Protection Team in their capacity as a responsible authority.

- 5.3 The representation on behalf of the Environmental Protection Team objects to the application entirely on the grounds of public nuisance. Further information is available in the representation which can be viewed at **Appendix C** of the report.

#### Other representations

- 5.4 The application has not attracted any other representations.

### **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 D**.

### **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.
  - 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