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**REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES**

**REPORT TO LICENSING SUB COMMITTEE**

**DATE: 18th SEPTEMBER 2006**

**SUBJECT: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE: MAKRO SELF SERVICE WHOLESALERS LTD, ROYDS LANE, LOWER WORTLEY, LEEDS, LS12 6HU**

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**Electoral Wards Affected:**

FARNLEY AND WORTLEY

**Specific Implications For:**

Ethnic minorities

Women

Disabled people

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**EXECUTIVE SUMMARY**

This report informs Members of an application for the variation of a Premises Licence for Makro Self Service Wholesalers Ltd, Royds Lane, Lower Wortley, Leeds, LS12 6HU. The Licensing Authority is under a duty to determine this application.

**1.0 PURPOSE OF REPORT**

1.1 To advise Members of an application made under the Licensing Act 2003 ("the Act") for a Premises Licence in respect of Makro Self Service Wholesalers Ltd, Royds lane, Lower Wortley, Leeds, LS12 6HU.

**2.0 HISTORY OF PREMISES**

2.1 The premises currently have the benefit of:

- A Premise Licence issued under the Licensing Act 2003.
- The existing hours of operation are Monday to Saturday 08.00hrs to 23.00hrs and Sunday 10.00hrs to 22.30hrs.

### **3.0 THE APPLICATION**

- 3.1 The applicant is Makro Self Service Wholesalers Ltd. The premises are located at Royds Lane, Lower Wortley, Leeds, LS12 6HU. The location and the proximity to neighbouring premises can be seen on the map provided, members attention is drawn to **Appendix A**.
- 3.2 A copy of the application and operating schedule are attached as **Appendix B** to this report. For the assistance of Members, the Operating Schedule shows:

#### **Proposed Licensable Activities:**

The applicant proposes to carry out those licensable activities at the premises identified at boxes:

M-Sale of alcohol

#### **Proposed hours of licensable activities:**

The applicant proposes to provide licensable activities from 00.00hrs to 23.59hrs every day.

#### **Times when the premises is open to the public.**

If the application is granted the applicant proposes to open the premises as described in box “**O**”.

#### **Designated Premises Supervisor**

Mr John Walker

#### **Steps to promote licensing objectives**

The applicant proposes to take the steps to promote the licensing objectives identified section “**P**” of the operating schedule.

### **4.0 RELEVANT REPRESENTATIONS**

- 4.1 Under the Act representations can be received from responsible authorities or interested parties. Representations must be relevant and, in the case of an interested party, must not be frivolous or vexatious.
- 4.2 Responsible authorities have made the following representations:-

#### ➤ **West Yorkshire Police**

The attention of Members is drawn to Appendix “**C**”

Interested party representations

➤ **Local residents have made representation**

Members attention is drawn to Appendix “D”

## **5.0 MATTERS RELEVANT TO THE APPLICATION**

5.1 Members of the Licensing sub committee must make decisions with a view to promoting the licensing objectives which are:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm

5.2 In making their decision, Members are obliged to have regard to the national Guidance and the Council’s Licensing Policy. Members will be aware they must also have regard to the relevant representations made and evidence they hear.

5.3 Members will find attached at appendix ‘E’ a table which acts as an aide memoir of relevant sections of the Guidance and the Council’s Licensing Policy which will be of assistance when considering the application and the representations.

## **6.0 OPTIONS AVAILABLE TO MEMBERS**

6.1 The licensing sub-committee must take such of the following steps as it considers necessary for the promotion of the licensing objectives:

- Grant the variation as requested.
- Grant the variation while imposing new conditions or altering in any way the existing the operating schedule.
- Reject whole or part of the variation application

6.2 Members of the Licensing sub committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

## **BACKGROUND PAPERS**

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

## Aide Memoir to relevant sections of the Guidance and Licensing Policy

Representation	Guidance page(s)	Licensing Policy page(s)
Overall approach to licensing		4
Vicinity of premises		5
Monitoring and review of licensing policy		5
Integration of other strategies, policies and initiatives		7
Importance of cultural activities		8
Commercial and community applicants		9
Licensing Hours	23-24	12
Planning	29	10
Human Rights		10
Binge drinking	94	11
Discounted Sales promotions of alcohol	94	11
supermarkets	72	12
Sunday trading	72	12
Bank holidays	74	12
Drinking up time	74	13
Cumulative impact	19	13-19
Large capacity vertical drinking in city centre	95	15
Late night takeaways in the city centre	19	16
New premises in Headingley	19	16
Large capacity vertical drinking in Headingley	19	16
Takeaways in Headingley	19	16
Extended hours in Headingley	19	16
High capacity premises in Woodhouse and Hyde Park	19	17
Licence conditions	148-171	18
Staff Training	93	19
Events in the open air or temporary structures	96-100	19
Operating schedules - contents of		21
Risk assessments		22 and Appendix 1
Crime and disorder	80-83	26 and Appendix 1
Public safety	83-85	27 and Appendix 1
Fire safety	154-157	27-28 and Appendix 1
Public Nuisance	85-87	28 and appendix 1
Children	87-90	29 and appendix 1
Operating Schedule	51-52	21-22 appendix 1

