

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 15th November 2022

**Subject: Application for the Grant of a Premises Licence for Cat's Pyjamas
Unit 2, 5 Stainbeck Lane, Meanwood, Leeds, LS7 3PJ**

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 Mr Zulfiqar Hussain, for Cat's Pyjamas, Unit 2, 5 Stainbeck Lane, Meanwood, Leeds, LS7 3PJ.

The application explains the premises intend to operate as a restaurant and takeaway offering the sale by retail of alcohol, late night refreshment and the performance of recorded music. The hours applied for each licensable activity can be noted at 3.3 of the report.

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

The application has attracted representations from the Environmental Protection Team and other persons.

An agreement has been reached with the Environmental Protection Team which has led to their representation being withdrawn. The two representations received from other persons remaining a matter outstanding for the Licensing Sub Committee's 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 Mr Zulfiqar Hussain.
- 3.2 The proposed designated premises supervisor is Saira Jabeen.
- 3.3 In summary the application is for:

Sale by retail of alcohol

Sunday to Wednesday 10:00 - 00:00
Thursday to Saturday 10:00 - 01:00

Provision of late night refreshment

Sunday to Wednesday 23:00 - 00:00
Thursday to Saturday 23:00 - 01:00

Performance of recorded music

Sunday to Wednesday 09:00 - 00:00
Thursday to Saturday 09:00 - 01:00

- 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 the 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. Any representation

may be negotiated prior to the hearing and in this instance, the operating schedule has been amended to include agreed measures and the representation has been withdrawn. A copy of the representation and agreement may be found at **Appendix C**.

Other Representations

- 5.3 The application has attracted two representations from members of the public (described as 'other persons' in the legislation) which are oppose the application on the grounds of crime & disorder and public nuisance.
- 5.4 One of those representations 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 written representations to be considered fully in their absence.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at **Appendix D** and original copies of the representations will be provided to the Licensing Sub Committee in advance of the hearing.

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