

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

**Report to the Licensing Sub Committee**

**Date: 6th December 2022**

**Subject: Application for the grant of a premises licence for The Little Deli Co.,  
2 Haigh Moor Road, Tingley, Wakefield, WF3 1AA**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Ardsley & Robin Hood		
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 The Little Deli Co. (Tingley) Limited, for The Little Deli Co., 2 Haigh Moor Road, Tingley, Wakefield, WF3 1AA.

The applicant has applied for the following:

Sale by retail of alcohol, every day 08:00 – 19:00 (for consumption off the premises).

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

West Yorkshire Police submitted a representation to this application, however agreements were reached between the applicant and West Yorkshire Police prior to the hearing and as a result the representation was withdrawn.

The application has attracted representations from other persons which remain outstanding and a matter for member’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 The Little Deli Co. (Tingley) Limited.
- 3.2 The proposed designated premises supervisor is Sarah Jayne Shann.
- 3.3 In summary the application is for:

*Sale by retail of alcohol Every day 08:00 – 19:00 (for consumption off the premises)*

- 3.4 It should be noted that the application states sale of alcohol for consumption both on and off the premises. This was amended to consumption off the premises only after the application was submitted and a copy of the application is attached at Appendix A.
- 3.4 The applicant proposes to promote the licensing objectives by taking the steps identified at section 18 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 West Yorkshire Police 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 the measures agreed with West Yorkshire Police. A copy of the agreement may be found at Appendix C.

## Other representations

- 5.3 The application has attracted representation from members of the public (described as 'other persons' in the legislation).
- 5.4 The licensing authority is in receipt of two individual letters of objection, both of which are opposed to this application on the grounds of public nuisance & crime and disorder.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at Appendix D and original copies will be provided to Licensing Sub Committee Members in advance of the hearing.
- 5.6 The applicant's representative has provided a written response to the objectors in an attempt to address the concerns detailed in their representations. At the time of writing one objector had advised they wished for their representation to remain and there has been no response from the other objector. A copy of the document is attached at Appendix E.
- 5.7 The applicant's representative has also submitted a document in response to the concerns of anti-social behavior and showing the crime figures in this particular area. This can be found at Appendix F.

## **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 When conducting a search of our records there we no results found showing any other licensed premises considered within the immediate vicinity.

## **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.
- 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