

Report of the Chief Officer Elections and Regulatory**Report to Licensing Sub Committee****Date: 14th February 2023****Subject: Application to vary a premises licence held by Lord Pizza, 215A Bradford Road, Tingley, Leeds, WF3 2DN**

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 to vary a premises licence made by Mr Feridon Ghaleh-Tak, for Lord Pizza, 215A Bradford Road, Tingley, Leeds, WF3 2DN.

The applicant has applied for the following:

- To extend late night refreshment until 03:30.
- To add on sales to the licence.
- To extend the sale of alcohol hours to 24 hours, 7 days a week, with on sales only taking place until 03:30.

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

The application has attracted representations from other persons, West Yorkshire Police, and Environmental Health. The representation from West Yorkshire Police has been withdrawn as agreements have been reached between them and the applicant. All other representations remain a matter outstanding for member's consideration.

1 Purpose of this report

- 1.1 To advise Members of an application made under section 34 of the Licensing Act 2003 ("the Act") to vary a 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 premises

- 2.1 The licensing authority received a new application for a premises licence in August 2005. The application was granted as applied for subject to additional conditions imposed.
- 2.2 A copy of the existing licence is attached at Appendix A.

3 The application

- 3.1 The applicant is Mr Feridon Ghaleh-Tak.
- 3.2 Briefly, the application is to:
 - To extend late night refreshment until 03:30 hours.
 - To add on sales to the licence.
 - To extend the sale of alcohol hours to 24 hours, with on sales only taking place until 03:30.
- 3.3 A copy of the application to vary the premises licence can be found at Appendix B.
- 3.4 The applicant proposes to promote the licensing objectives by taking the additional steps identified at section M of the application form.

4 Location

- 4.1 A map which identifies the location of the premises is attached at Appendix C.

5 Representations

- 5.1 Under the Act representations can be received from anyone but must be relevant and, in the case of members of the public, must not be frivolous or vexatious.

Representations from Responsible Authorities

- 5.2 Representations have 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 the police. A copy of the agreement may be found at Appendix D.

- 5.3 A representation has also been received from Environmental Health in their capacity as a responsible authority which suggests a number of measures, including restrictions on the times of operation. No agreement has been reached in this instance and a copy of the representation can be found at Appendix E.

Other representations

- 5.4 The application has attracted representations from members of the public (described as 'other persons' in the legislation).
- 5.5 Entertainment Licensing is in receipt of three individual letters of objection, all of which are opposed to this application on the grounds of public nuisance.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix F, and original copies will be provided to the Licensing Sub Committee Members in advance of the hearing.

6 Licensing hours

- 6.1 Members are directed to paragraphs 6.8 to 6.15 for 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 6.14 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. 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 impact on the licensing objectives.
- 6.3 A list of premises in the local area and their licensed hours and activities is provided at appendix G.

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 variation as requested.
 - Grant the variation whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
 - Exclude any licensable activities to which the application relates.
 - Reject the whole or part of the application.

- 8.2 Members of the licensing subcommittee 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 appropriate in order to promote the licensing objectives and relevant to the application.

9 Background papers

- Guidance issued under s182 Licensing Act 2003
- Statement of Licensing Policy