

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 28th February 2023

**Subject: Application for the grant of a premises licence for Kandoo Lounge
85A Roseville Road, Sheepscar, Leeds, LS8 5DT**

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|---|---|--|
| Are specific electoral Wards affected? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, name(s) of Ward(s): Little London & Woodhouse | | |
| 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 Kandoo Lounge Ltd, for Kandoo Lounge 85A Roseville Road, Sheepscar, Leeds, LS8 5DT.

The application describes the nature of the premises to be a restaurant, sports and entertainment lounge. Noted on section K of the operating schedule, the premises will also provide Shisha smoking on the premises.

The application proposes the following: Late Night Refreshment, Every day 23:00 – 03:00, and performance of recorded music, Monday to Thursday 17:00 - 03:00 and Friday to Sunday 15:00 - 03:00

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

The application has attracted representations from responsible authorities. Leeds City Council’s Environmental Protection Team and West Yorkshire Police have both submitted outright objections which remains 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 Kandoo Lounge Ltd.
- 3.2 The proposed designated premises supervisor is: There is no designated premises supervisor for these premises.
- 3.3 In summary the application is for:

Late Night Refreshment

Every Day *23:00 – 03:00*

Performance of Recorded Music

Monday to Thursday *17:00 – 03:00*

Friday to Sunday *15:00 – 03:00*

- 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 under section M of the application. After speaking with the agent during the application submission stage, the "protection of children from harm" condition was subsequently removed.

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 Representations have been received from Leeds City Councils Environmental Protection Team and West Yorkshire Police in their capacity as a responsible authority.

- 5.3 The representation from Leeds City Councils Environmental Protection Team can be seen at **Appendix C**.
- 5.4 The representation from West Yorkshire Police can be seen at **Appendix D**. Appendix D also include an attached video.
- 5.5 Any representation may be negotiated prior to the hearing. Due to the nature of both representations being outright objections from the relevant authorities no agreements have be made and they remain as a matter outstanding for the Members consideration.

Other representations

- 5.6 There are no 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 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