

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

**Report to the Licensing Sub Committee**

**Date: Tuesday, 3rd October 2023**

**Subject: Application for the Grant of a Premises Licence for Off Licence 152  
Town Street, Armley, Leeds, LS12 3RF**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Armley		
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 Sabir Doski for an Off Licence, situated at 152 Town Street, Armley, Leeds, LS12 3RF.

The application proposes the Sale by retail of alcohol for consumption off the premises, every day 08:00 – 22:00.

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

The applicant's representative and West Yorkshire Police have agreed for a condition to be incorporated into the proposed operating schedule, negating the need for the police to submit a formal representation. Further details can be found at section 5.2 of the report.

The application has attracted representations from other persons which remain a matter outstanding 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 An application for the grant of a new premises licence for these premises was considered by the Licensing Sub Committee in November 2022 due to the receipt of public representations. The Committee unanimously resolved to refuse that application.

## **3 The Application**

- 3.1 The applicant's name is Sabir Doski.
- 3.2 The proposed designated premises supervisor is Sabir Doski.
- 3.3 In summary the application is for:

*Sale by retail of alcohol for consumption off the premises  
Every day 08:00 – 22:00*

- 3.4 A copy of the application form can be viewed at Appendix A.
- 3.5 The applicant proposes to promote the licensing objectives by taking the steps identified at section 18 of the application.

## **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 Although West Yorkshire Police did not submit an official representation, they did agree with the applicant's representative that an additional condition would be added to the licence should the application be successful. A copy of the email exchange is available 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 six individual letters of objection, all of which are opposed to this application on the grounds of public nuisance, public safety and 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 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 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 6.14 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.
- 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**

- 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 Sub Committee 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 Sub Committee 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