

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: 12th December 2023

Subject: Application for the Grant of a Premises Licence for Unit 7C, Hilltop Commercial Centre, Houghley Lane, Bramley, Leeds, LS13 2DN

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Bramley & Stanningley		
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 Cassandra Jane Rae, for Unit 7C Hilltop Commercial Centre, Houghley Lane, Bramley, Leeds, LS13 2DN.

This is a storage unit for the sale of alcohol for an online delivery service proposing the Sale by Retail of Alcohol for consumption off the premises only.

The premises will not be open to members of the public.

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

The application has attracted a representation from a member of the public.

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 Cassandra Jane Rae.
- 3.2 The proposed designated premises supervisor is Cassandra Jane Rae.
- 3.3 In summary the application is for:

Sale by retail of alcohol (for consumption off the premises)

<i>Mon-Fri</i>	<i>09:00 - 17:00</i>
<i>Sat</i>	<i>11:00 - 16:00</i>
<i>Sun</i>	<i>11:00 - 14:00</i>

The premises will not be open to members of the public.

- 3.4 The applicant proposes to promote the licensing objectives by taking the steps identified in the proforma risk assessment in the application form which is attached at Appendix A.

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 There have been no representations from the Responsible Authorities.

Other representations

- 5.3 The application has attracted one representation from a local resident (described as 'other persons' in the legislation) opposed to the application mainly on the grounds of public nuisance.

- 5.4 The objector 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 continue to anonymous throughout the application process. For this reason and despite their strength of feeling they will not be attending the hearing and would like their representation to be considered fully in their absence.
- 5.5 A redacted copy of the representation is attached at Appendix C and original copy will be shared with the Licensing Sub Committee 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 D.

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