

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

**Report to Licensing Sub Committee**

**Date: 30th January 2024**

**Subject: Application to vary a premises licence held by Thornleigh News 25 - 27  
Thornleigh Mount, Cross Green, Leeds, LS9 8QW**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):   Burmantofts & Richmond Hill		
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 Jagtar Singh Sidhu, for Thornleigh News 25 - 27 Thornleigh Mount, Cross Green, Leeds, LS9 8QW

The application proposes an increase of the activity sale by retail of alcohol from 00:00 until 23:59, every day. Permitting the premises to open and trade 24 hours daily. However, an agreement made with Leeds City Council, Environmental Protection Team has been accepted to reduce the opening and activity hours from 07:00 until 23:00.

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

The application has attracted representations from other persons and/or responsible authorities. Representations have been received from 2 individuals and all three ward councillors. All outstanding objections have been informed of the reduced hours agreed with Leeds City Council's environmental protection team and the applicant.

## **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 7 December 2022: The initial premises license application was served on the licensing authority, after the standard consultation period had passed. The application was subsequently granted as applied for.
- 2.2 A copy of the existing licence is attached at **Appendix A**.

## **3 The application**

- 3.1 The applicant is Jagtar Singh Sidhu.
- 3.2 Briefly the application is to:
  - The application proposes additional hours onto the hours for sale of alcohol to allow the activity to take place from 00:00 until 23:59, every day to allow a 24 hour off-licence.
- 3.3 A copy of the redacted application form is attached at **Appendix B**.
- 4.1 The applicant considers that the existing measures are sufficient to promote the licensing objectives and no further measures are necessary.

## **4 Location**

- 4.1 A map which identifies the location of this 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 Leeds City Council, Environmental Protection Team in their capacity as a responsible authority. Representations may be negotiated prior to the hearing. In this instance the operating schedule has been amended to include the measures agreed with Environmental Health. A copy of the agreement may be found at **Appendix D**.

## Other representations

- 5.3 The application has attracted representations from members of the public (described as 'other persons' in the legislation).
- 5.4 The Licensing department is in receipt of 3 individual letters of objection which includes a letter from all three the ward councillors, all of which are opposed to this application on the grounds of crime & disorder and public nuisance.
- 5.5 In order to protect personal data, redacted copies of the representations are attached at **Appendix E**. Original copies will be available at the hearing for Members consideration.

## **6 Licensing hours**

- 6.1 Members are directed to paragraphs 6.6 to 6.13 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 6.12 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. 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 F**.

## **7 Equality and diversity implications**

- 10.1 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