

Report of the Chief Officer Elections and Regulatory

Report to the Licensing Sub Committee

Date: Tuesday, 30th April 2024

Subject: Application for the Grant of a Premises Licence for Convenience Store, 145 Oldfield Lane, Upper Wortley, Leeds, LS12 4EX

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Farnley & Wortley		
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 Loghman Ahmadi, for Convenience Store, 145 Oldfield Lane, Upper Wortley, Leeds, LS12 4EX.

The applicant has applied for the Sale by retail of alcohol, every day, 07:00 – 23:00 hours (for consumption off the premises).

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

West Yorkshire Police and the applicant have reached an agreement prior to the hearing resulting in additional conditions being added to the proposed operating schedule. Further details can be found at 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 This is the first application for a premises licence for these premises.

3 The Application

- 3.1 The applicant's name is Loghman Ahmadi.
- 3.2 The proposed designated premises supervisor is Borhan Latifi.
- 3.3 In summary, the application is for:

*Sale by retail of alcohol (for consumption off the premises)
Everyday 07:00 – 23:00*

- 3.4 The applicant proposes to promote the licensing objectives by taking the steps identified in the document attached at Appendix A.

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 During the consultation period an agreement has been reached between West Yorkshire Police and the applicant. A document showing the conditions accepted can be found at Appendix C.

Other representations

- 5.3 The application has attracted representations from members of the public and a Local Ward Councillor (described as 'other persons' in the legislation).
- 5.4 In total the Licensing Authority is in receipt of twenty one individual objections which oppose the application mainly on the grounds of public nuisance & public safety.

- 5.5 Six representations have been received from members of the public who have 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 have remained anonymous throughout the process. For this reason and despite their strength of feeling, they will not be attending the hearing and would like their representations to be considered fully in their absence.
- 5.6 In order to protect personal data, redacted copies of the representations are attached at Appendix D and the original versions will be provided to Licensing Sub Committee Members in advance of the hearing.
- 5.7 The Sub Committee may wish to note that two objectors have provided additional evidence to support their representations in the form of photographs and video footage. The photographs are included with the objector's representation and the video footage will be made available for viewing at 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 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 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